



May 22, 2007

SUBJECT: **2006-0610 – Taylor Woodrow** [Applicant] **Duane Ventures LLC** [Owner]: Appeal of a decision of the Planning Commission approving an application for related proposals on a 7.3 acre site located at **1030 East Duane Avenue** (near Lawrence Expressway) in an MS/ITR/R-4/PD (Industrial & Service/Industrial to Residential/High Density Residential) Zoning District. (APN: 205-23-001);

Motion **Special Development Permit** to allow development of 304 condominium units (68 townhomes and 236 condominium units for a total of 304 units),

Motion **Vesting Tentative Map** for condominium purposes.

REPORT IN BRIEF

Existing Site Conditions Industrial and office buildings

Surrounding Land Uses

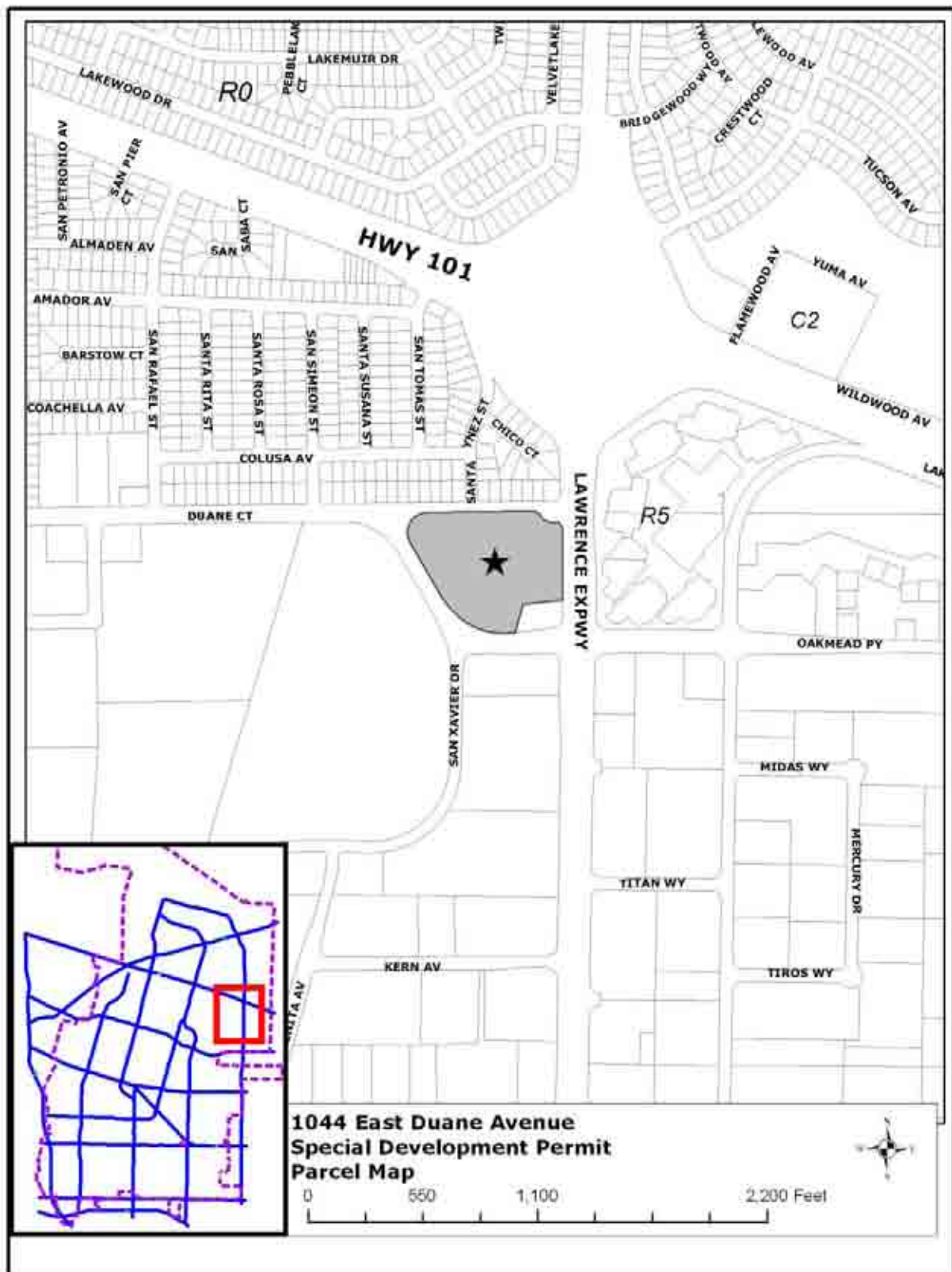
North	Single family residential
South	Industrial and office
East	Lawrence Expressway
West	Industrial and office (AMD campus)

Issues Circulation, architecture, open space, height, neighborhood compatibility

Environmental Status An Environmental Impact Report has been prepared in compliance with California Environmental Quality Act provisions for the East Sunnyvale Industrial to Residential General Plan Amendment (2007).

Planning Commission's Action Approved the applications for Special Development Permit and Tentative Map with modified conditions.

Staff Recommendation Deny the appeal with added conditions, including two items raised by the appellant (lot coverage and building setbacks).



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Industrial	Same	Industrial to Residential High Density
Zoning District	MS/ITR/R-4/PD	Same	MS/ITR/R-4/PD
Lot Size (s.f.)	318,089	Same	N/A
Gross Floor Area (s.f.)	127,476	614,140	N/A
★ Lot Coverage (%)	40%	42%	40% max.
Floor Area Ratio (FAR)	40%	1.93%	N/A
No. of Units	N/A	304	304 max. (265 + 39 w/ 15% density bonus)
Density (units/acre)	N/A	42	36 du/ac max. (+15% density bonus)
Meets 75% min?	N/A	Yes	199 min.
Lockable Storage/Unit	None	Covered garages in townhomes 300 c.f. for condos	300 cu. ft. min.
No. of Buildings On-Site	5	14	N/A
★ Distance Between Buildings (ft.)	30' min	12' min	26' min.
Building Height (ft.) - Townhomes	18'	35'	60' max (55' + 5' for underground parking)
Building Height (ft.) - Condos	18'	57'	60' max (55' + 5' for underground parking)
★ No. of Stories	1	5	4 max.
Setbacks (First & Second Stories Facing Property)			
★ • Front on Duane Ct.	80'	15' min. 15' avg.	20' min.
★ • Front on E. Duane Ave.	80'	15' min. 19' avg.	20' min.
★ • Front on E. Duane Ave. to south	80'	15' min. 19' avg.	20' min.
• Front on Lawrence	60'	20'	20' min.

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
Landscaping (s.f.)			
• Total Landscaping	190,512	141,842	114,000 min.
• Landscaping/Unit	N/A	466	375 min.
• Total Usable Open Space	N/A	117,016	115,520 min.
• Usable Open Space/Unit	N/A	384	380 min.
• Frontage Width (ft.)	0	15' min.	15' min.
• Parking Lot Area Shading (%)	N/A	50%	50% min. in 15 years
• Water Conserving Plants (%)	N/A	70%	70% min.
• Clubhouse (s.f.)	N/A	850 (including kitchen and restrooms)	450 (plus kitchen and restrooms)
Parking			
• Total Spaces	N/A	619	619 min.
• Standard Spaces	N/A	495	402 min.
• Compact Spaces/ % of Total	N/A	124/ 20%	216/ 35% max.
• Accessible Spaces	N/A	8	Per ADA requirements
• Aisle Width (ft.)	N/A	26' min.	24' min.
• Bicycle Parking	N/A	Bike storage room for 60	59 Class I + 20 Class II

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

ANALYSIS

Description of Proposed Project

The applicant is requesting approval of a Vesting Tentative Map to subdivide one parcel, totaling 7.3 acres, into 304 condominium units, and a Special Development Permit (SDP) to allow for construction of 68 on-grade townhomes and 236 mid-rise condominium units. Private streets will extend through the center of the site and access will be taken from both Duane Avenue and Duane Court.

The applicant is utilizing Sunnyvale Municipal Code's Density Bonus provision, which allows for a 15% increase in the maximum number of units allowed in a

project. In this case, the maximum density in the R-4 zone is one unit for each 1,200 square feet for a subtotal of 265 units. Applying the 15% density bonus adds 39 units above the R-4 maximum for a total of 304 units.

The project will include the required 12.5% of Below Market Rate (BMR) housing units (33 units), which is based on the number of units allowed without the density bonus, pursuant to the Sunnyvale Municipal Code (SMC) Section 19.66.020 (see BMR Conditions of approval in Attachment B).

The following is a summary of the proposed sizes and square footages for the units. The unit sizes do not include the garage areas:

Unit Type	Number of Units	Unit Type	Unit Sizes (excluding garages)
Podium Building			
Plan A1/A2	66	1 Bedroom	700-800 sf
Plan B1/B2	152	2 Bedroom	1,111-1,225 sf
Plan C	18	3 Bedroom	1,350 sf
Townhomes			
Plan 1	5	3 Bedroom	1,500 sf
Plan 2/3	63	4 Bedroom	1,750-1,950 sf

Background

Previous Actions on the Site: On February 27, 2007, as part of the East Sunnyvale Industrial to Residential application (General Plan Amendment, Rezone, and Environmental Impact Report), the City Council rezoned the area from Industrial and Service (MS) to include the Industrial to Residential (ITR) Combining District or resulting in MS/ITR/R-4/PD (Residential High Density). The ITR Combining District allows industrial, office, commercial, and residential uses to exist within the same zoning district, and allows existing industrial, office and commercial sites to convert to residential use.

At that meeting, the Council adopted nine Conditions of approval related to projects zoned with R-4 designations in the study area. The applicant's response to these conditions is discussed later in this report under the *Public Contact* section. The following list is taken from Council's nine conditions of approval which apply to this project:

1. Require new residential development to observe a minimum 100-foot separation between existing adjacent industrial buildings and new residential buildings. Allow the Planning Commission to approve exceptions

to this separation requirement if circumstances would address noise, odor and hazardous materials issues.

2. Require height in R-4 areas to maintain no more than three stories (35 feet) when adjacent to (including across the street) single family residential development.
3. Study the ability to encourage energy production and energy efficiency within new residential projects as part of either of the current study issues on LEED and solar energy.
4. Work with the developer to encourage a different location for the egress and ingress to reduce impact on Duane Court (such as move traffic from residential street to a collector street).
5. Include landscaping requirements to reduce the impact of the R-4 project on the adjacent single family homes with final landscaping plans to be approved by the Planning Commission.
6. Stay in touch with the neighborhood regarding traffic calming issues and to consider follow up a year after construction is completed.

(See City Council Minutes in Attachment C for further details).

This application was heard before the Planning Commission at their March 26, 2007 meeting. The Commission voted 5-2 to approve the application with modified conditions. See Attachment H for Planning Commission minutes. The application was appealed on April 6, 2007. See Attachment I for appellant's letter.

Environmental Review

An Environmental Impact Report (East Sunnyvale Industrial to Residential Project) was certified for this project by the City Council on February 27, 2007. The Environmental Impact Report (EIR) addresses the impacts of the conversion of 130 acres from "industrial" to "industrial to residential" (including the subject site) and the impacts to the surrounding area.

Environmental Context: The property to the west is currently zoned with a mix of MS/ITR/R-4/PD and MS/ITR/R-3/PD zones. There are existing industrial and office uses on the site (AMD corporate campus). The property to the south (across Duane Avenue) is zoned Industrial and Service (MS) and is currently occupied by industrial and office uses. The subject property is also part of the Places of Assembly (POA) Combining District zone and has been approved for a new shopping center. A second property to the south, immediately adjacent to the subject parcel, is a recently remodeled Chevron gas station and car wash, which is zoned MS/ITR/R-4/PD. The zoning to the north (across Duane Court) is R-0 (Low Density Residential). Across Lawrence Expressway to the east is zoned 101/Lawrence Site Specific Plan zoned (Very High Density Residential) with an apartment development on site (Avalon Apartments).

Special Development Permit

Present Site Conditions: The project site is one parcel of 7.3 acres. The present research and development complex was developed in 1971 and is comprised of five buildings.

Use: The proposed project consists of 68 townhomes and 236 ownership condominium townhome units in at a density of 42 units/acre.

Site Layout: The project's 68 townhome units are arranged into 12 buildings on the site, with buildings accommodating between four and eight units each. The buildings and driveways have been aligned so the buildings face internally onto the central "village green" or outward so they front on the existing streets. The condominium units are part of one, five-story building that includes two levels of parking. One level of parking is below grade and one is at grade. (Attachment E – Site and Architectural Plans).

There are two main common open space areas located on the site. The first is the podium courtyard on the second level of the condominium building. This area is 13,550 square feet and is intended to serve principally the condominium residents and their guests. The second is the central village green area which includes a clubhouse, pool, children's play area, and large open grassy area. The village green is 36,671 square feet. The community clubhouse and pool are centrally located within the project in order to maximize the usability of the space.

The condominium building contains a 2,000 square foot concierge room on the northern side. The concierge building will serve as the guest entrance point as well as meeting area for residents and their guests.

Setbacks: Under the R-4 zoning standards, the minimum front setback is 20 feet. The applicant is requesting a deviation of 15 foot setbacks for the townhome units fronting on Duane Court and East Duane Avenue. Staff supports the request for the four buildings fronting on East Duane Avenue since they are facing a major street where the additional five feet will add to a walkable streetscape and would have a negligible effect on vehicles passing by the site. Staff is not supporting the 15 foot setback for the two buildings facing Duane Court based on the feedback received from the San Miguel neighborhood. These neighbors share a concern that this project will not be compatible with their existing neighborhood. While single-family homes are not consistent with the intent of the R-4 zoning district, it is possible to achieve a similar front yard setback as the exiting homes across Duane Court. Based on this, staff is recommending a condition of approval requiring the two buildings on Duane Court be setback to the minimum required 20 setback.

Lot Coverage: The maximum lot coverage under the R-4 zoning standards is 40%. The applicant is requesting 42% lot coverage based on the difficulty of designing a project that both meets SMC requirements and takes advantage of the City's density bonus program. Staff and the applicant have worked together to resolve this issue through several significant redesigns of the site plan but have been unable to reach an obvious solution to this issue. Staff concurs with the applicant's assertion that meeting both SMC requirements and the City's offered density bonus is a challenge but also acknowledges that deviations from the maximum lot coverage are rarely granted. In cases where lot coverage exceptions have been granted, applicants (typically single-family projects) have been able to demonstrate a hardship or unique situation that would allow the lot coverage requirement to be relaxed. While staff acknowledges that this is a difficult project to design under City development requirements, it does not meet the classification of a hardship or unique circumstance. Therefore staff is recommending a condition of approval for the project to be modified to meet the 40% maximum lot coverage requirement.

On-Site Circulation: There is one central street proposed to access all units in the project. This street will be a private drive with two access points leading to and from the public streets. The condominium building's parking levels will also be accessed from this drive. Along the north property line adjacent to Duane Court, the applicant is proposing a vehicle drop-off area by the concierge building. The site feature is intended to be a quick drop-off or pick-up point for residents and guests. It will serve as an alternative to a drop-off or pick-up point on the cul-de-sac portion of Duane Court, which could have a greater impact to the existing residents on Duane Court.

Off-Site Circulation and Streets: As part of the East Sunnyvale ITR EIR, a transportation impact study and site circulation analysis was conducted for this project. The transportation study showed that adequate roadway and intersection capacity was available to serve the proposed project on Duane Court, East Duane Avenue, and on the surrounding streets. Although the project is projected to increase the total number of daily trips at the site, it is projected to generate four fewer vehicle trips during the AM peak hour of traffic, and 37 more vehicle trips during the PM peak hour than the existing land use on the site. (See table below)

Project Total Trip Generation Comparisons		
Existing Project	Rate: 8.11/1,000 s.f.	Trips: 903
New Project	Rate: 5.86/unit	Trips: 1,781
<i>Difference</i>		+878

Peak Hour Traffic Use Comparison		
Use	AM Peak Hour Trips	PM Peak Hour Trips
Condo/Townhouse	134	158
R & D Building	138	121
Difference	-4	+37
Source: <i>Institute of Transportation Engineers Trip Generation, 7th Edition</i>		

The site plan used in the analysis included one right-in/right-out access driveway on East Duane Avenue and one full access driveway on Duane Court. The Duane Court driveway is the only full access driveway of the two proposed therefore, the study assumed that in general, 66% of the project traffic will use this driveway for access. The study estimated that during the AM peak hour of traffic there will be an increase of 86 vehicles driving on Duane Court (mostly exiting the site heading to Lawrence Expressway). During the PM peak hour of traffic there will be a 36 vehicle decrease in the number of vehicles using Duane Court. (See table below)

Peak Hour Traffic on Duane Court		
Scenario	AM Peak Hour Trips	PM Peak Hour Trips
Condo/Townhouse	155	78
R & D Building	69	114
Difference	+86	-36
Sources: (1) <i>Institute of Transportation Engineers Trip Generation, 7th Edition.</i> (2) <i>Traffic Counts by AutoCensus.</i> (3) <i>Projections by City Traffic Model.</i>		

The transportation impact analysis also studied whether the East Duane Avenue/Duane Court intersection would meet the State and Federal warrants for a new traffic signal. The intersection did not meet the criteria for installation of a traffic signal based on of the relatively low volumes on Duane Court.

In addition, the study considered the potential for future “cut-through” traffic on neighboring streets. Based on proximity to major transportation corridors and neighborhood services, it was projected that only 15% of the future project traffic would head north of the project site. The study also showed that the residential streets to the north of the project have lower speed limits, circuitous streets, and

greater traffic controls at the intersections. Rather than cutting through the neighborhood, this traffic is expected to use East Duane Avenue to reach Fair Oaks. Based on this, City staff concluded that traffic volumes in the adjacent residential neighborhood would remain the same as the current traffic volumes.

Parking: The project provides a total of 619 parking spaces on-site where 619 are required by Sunnyvale Municipal Code (SMC). Included in the 619 spaces are 247 uncovered spaces throughout the site, all of which will be unassigned and available to guests and residents. Of the 304 proposed units, 68 have two car covered spaces per unit for a total of 136 spaces. The remaining 236 units have covered and secured parking available in the two levels of the condominium building. Staff recommends that 25% of the unassigned spaces be marked for guest only spaces.

On page one of the site plans in Attachment E, there is an inconsistency in the data tables, “Unit Mix” and “Parking Summary”, that creates a contradiction in the required number of parking spaces. Staff and the applicant both agree the project will provide the number of parking spaces required under SMC. Staff has included a condition of approval (1.N) to ensure the project will be compliant with SMC parking standards.

Stormwater Management: This project requires compliance with the Stormwater Management requirements. The City of Sunnyvale requires Stormwater Management Plans to be certified by a qualified third party consultant prior to issuance of building permits. The applicant has been advised of the associated Stormwater Management Plan costs and responsibilities for construction and long term maintenance and reporting. The applicant has provided a preliminary plan that indicates generally how they will comply. Staff finds the initial submittal sufficient; however, a third-party certified set of plans will be required prior to issuance of building permits.

Utility Easements/Undergrounding: All existing and new services are required to be undergrounded.

The following Guidelines were considered in analysis of the project site design:

Design Policy or Guideline (Site Layout)	Comments
City-Wide Design Guidelines Site Design B9: Residential projects may have a primarily internal orientation for privacy, providing the site is visually linked with its surroundings by appropriate use of landscaping and building siting.	The proposed project offers private open space (courtyard/balcony areas) to each unit and internal circulation through private drives. Additional landscaping throughout the site will provide an attractive overall streetscape, visually linking the project with adjacent residential uses.

Architecture: The project proposes a modern/contemporary style of architecture (see Attachment E for details). The structures will consist of stucco materials for the exterior siding combined with metal trim railings. The applicant has completed a number of changes to the proposed architecture since the Planning Commission study session and staff believes the architecture now meets the goals of the City-Wide Design Guidelines and that the styling is consistent with a modern form of architecture.

Staff is recommending one condition of approval relative to the proposed architecture. The front entrance to the condominium building appears to be weak in terms of a focal point for the building. As noted below, the City Wide Design Guidelines contain several statements regarding entrances as strong focal points. Staff is recommending a condition of approval stating that the front entryway be further enhanced to create a stronger presence or more special element for the building.

The units fronting on the public streets will have entrances facing towards the street to help create a more traditional residential streetscape. In particular, the units on Duane Court will complete a residential streetscape with the existing single family homes on the northern half of the street, which also front onto Duane Court.

The applicant is proposing a number of color combinations for the 15 buildings on site. The intent is to create a unified look for the project while still differentiating each building with a unique appearance. The applicant will provide a sample of the color pallet at the Planning Commission and City Council meetings.

On page 11 of the site and architectural plans in Attachment E, there is an error showing one unit “C” on the ground floor facing towards Lawrence Expressway. Staff and the applicant both agree this unit is intended to face towards Duane Court. A condition of approval (1.M) has been added to correct this inconsistency.

Building Height: The maximum height of the buildings, as measured from the top of curb of the nearest public street is up to 60 feet to the highest point of the condominium building and up to 35 feet for the townhome units. The condominium building is proposed to be five stories high and the townhomes are proposed to be three stories. Under the R-4 zoning district, the maximum height is 60 feet with underground parking (55 feet + 5 feet if underground parking is proposed) and up to four stories.

While this project exceeds the required number of stories by one, it is possible to redesign the condominium building to comply with SMC. This would likely require a reduction in the overall number of units in the project. If the number of

units remains the same, compliance with SMC would likely create a reduction in the number of townhomes and a corresponding increase in the number of condominium units and overall size of the condominium building.

Staff is not recommending a modification at this time since SMC allows building heights to be up to 60 high. The actual number of stories within the 60 feet is typically not a determining factor when assessing height impact. In addition, staff believes the townhome buildings are an important component of the project's interface with the adjacent single-family neighborhood and any significant reduction in townhome units will begin to reduce this transition.

The following Guidelines were considered in the analysis of the architecture:

Design Policy or Guideline (Architecture)	Comments
City-Wide Design Guidelines Scale and Character B1: Break up large buildings into groups of smaller segments whenever possible, to appear smaller in mass and bulk.	The proposed building design uses articulation and colors in order to visually break up the buildings by unit and by building.
Scale B2: Adjacent buildings shall be compatible in height and scale.	The buildings on the exterior of the project will be three stories high maximum; creating a two story increase over the existing single family neighborhood on Duane Court. There are no other adjacent multi-family projects at this time.
Architecture and Design C1: Maintain diversity and individuality in style but be compatible with the character of the neighborhood.	The architectural styles of the project will be unique relative to the adjacent single family neighborhood, but will consist of traditional residential building forms and will be compatible with the character of the surrounding homes.
Architecture C9: Include decorative building elements in the design of all buildings. Add more interest to buildings by incorporating changes in wall plane and height, etc.	The architecture of the buildings has a number of design elements that create a high-quality product, including scored lines, metal railings, and eyebrow rooftop features.

Landscaping: Residential uses within the R-4 Zoning District are required to provide a minimum of 380 square feet of usable open space and 375 square feet of landscaping per unit. The project meets the requirement for usable open space with 384 square foot per unit. The site also provides adequate landscaping area with 466 square foot of landscaping per unit.

The applicant has submitted an arborist's report showing there are 114 trees representing 15 species on site, of which 40 are considered protected trees under SMC. Most of the trees are in fair health and located internally to the existing project. The arborist's report identifies a number of trees located on the periphery of the site that are if good health and which can be saved.

The project site plan has changed significantly since the time of the writing of the arborist's report and since the City Arborist's review of that report. Most of the trees originally identified as candidates in good health will still be able to be saved under the currently proposed project. Staff is recommending a condition of approval for the applicant to resubmit a new arborist's report for review and approval by the City Arborist. The City Arborist will have discretion over the final trees to be saved in this project.

The applicant's landscape plan is a significant upgrade compared to the existing landscaping. The project includes the installation of numerous new trees of varying species and the addition of bushes/shrubs throughout the site. A landscaping/irrigation plan with types, quantities, and sizes of trees and shrubs has been submitted and can be found in Attachment E. Staff is recommending a condition of approval that all new street trees are at least 24 inch box trees.

The following Guidelines were considered in analysis of the project landscaping:

Design Policy or Guideline (Landscape)	Comments
City-Wide Design Guidelines Landscaping A2: Preserve and incorporate existing natural features, particularly trees, on a site into the landscape design of projects.	The project proposes to save a number of existing trees and to add numerous new trees and other landscaping throughout the site. It is estimated that 100 new trees will be planted.
Landscaping A4: Properly landscape all areas not covered by structures, driveways, and parking.	The site meets the total landscaping requirement for each unit and will provide landscaping in all areas not devoted to structures, driveways, and parking.

Design Policy or Guideline (Landscape)	Comments
Site Organization B14. Design multi-building residential complexes to differentiate between private, semi-private, and common spaces through building placement, landscaping, etc. Delineate each space for proper use and access by residents.	The site design creates a combination of private, semi-private, and common landscape areas. The areas are properly delineated through the use of low patio walls, pathways, and private balconies, to allow proper use and access by residents.
Open Space C8. Provide direct access to common useable open space from buildings. Common open spaces shall be useable for recreational purposes.	The internal pathways provide direct access between buildings, parking areas, and open spaces. The common open spaces provide recreational opportunities including a clubhouse for community meetings, children's playground area, and pool.

Use of Separation Wall: The Sunnyvale Municipal Code requires a decorative masonry/sound wall separating residential and industrial uses. In this case, only the southeastern property line adjacent to the service station and car wash would be required to have an eight foot high masonry wall. The other three property lines all front on public streets and the townhome units are proposed to front these streets.

Clubhouse: All multifamily residential projects over 50 units are required to provide a community room. To meet this requirement, the applicant is proposing a clubhouse of 850 square feet. The building includes approximately 460 square feet of usable floor area (which slightly exceeds the minimum requirement of 450 square feet), a full kitchen, and restrooms.

Required Storage: SMC 19.38.040 requires multi-family residential projects to provide a minimum of 300 cubic feet of separate, lockable, and weatherproof storage space. This project meets this requirement for the townhomes by providing every unit with two car garages. The condominium units will also meet SMC requirements by providing storage closets for each unit in the common garages and on the private balconies.

Bicycle Parking: The enclosed two car garages will meet SMC requirements for secured bicycle parking (Class I) for the townhomes. The applicant is providing a fully enclosed and secured bicycle storage room for the condominium users. This room will hold approximately 60 bicycles. Staff is recommending a condition of approval for the project to include 20 bicycle racks (Class II) on-site (rate of 1:15 units) for guest bike parking.

Trash Enclosure: The SMC requires that multi-family uses, of four or more units, have centralized trash and recycling enclosures at the site. The applicant has incorporated four centralized enclosures on site and a centralized waste system for the condominium building which meet SMC requirements.

Compliance with Development Standards: The applicant is requesting four deviations from SMC through the SDP permit. The following table outlines these deviations:

Requested Deviations	Justifications
<ul style="list-style-type: none"> • Building stories of five where four is the maximum allowed. • The distance between building is at places 15' where 26' is the minimum allowed. • Lot coverage of 42% where 40% is the maximum required. • A front yard setback on East Duane Avenue and Duane Court of 15' where 20' is the minimum required. 	<ul style="list-style-type: none"> • Building height deviations are typical for multifamily projects, particularly those recently approved in Sunnyvale. Additional height help meet other required standards. • Greater open space is provided in the common open space areas and a larger clubhouse is provided. • The project is proposing to take advantage of the City's density bonus. This, combined with other SMC requirements, makes meeting the 40% lot coverage requirement difficult but provides additional units. • The units facing Duane Court present to the street, thereby replicating and complementing the current streetscape pattern in the existing single family neighborhood. In addition, the front elevations are articulated so the average setback is 15-19'.

Expected Impact on the Surroundings

Staff finds that with mitigation measurements contained in the EIR, the proposed project will not have an impact to the surrounding neighborhood (existing and future ITR). A Mitigation Monitoring and Reporting plan was adopted with the EIR was certified by Council. No significant traffic or noise impacts are expected as a result of the project and no visual impacts are expected. The applicant has worked with staff to address the project's compatibility with the single family existing neighborhood across East Duane Avenue and to minimize any potentially negative impacts.

Additionally, the proposed project is over 100 feet from the nearest adjacent industrial building, thereby exceeding the minimum setback adopted through the recent General Plan Amendment for the area.

Tentative Map

General Description: The proposed project requires a Vesting Tentative Map to subdivide one parcel, totaling 7.3 acres into two parcels with 304 condominium lots. All units obtain vehicular access from the private internal drive leading from the public streets. Utilities will be placed underground in the common lots via a public utilities easement. (Attachment E)

Park Dedication In-Lieu Fee

This project is subject to Park Dedication In-Lieu Fees. The park dedication fees for this project are estimated to be \$7,938.81 per unit. This fee shall be collected prior to action on a Final Map.

Transportation Impact Fee

As required by City code when there are new PM peak hour trips, Traffic Impact Fees will be required for this project. The fee is calculated at the time of Building Permit issuance and is estimated at \$113,580.

Fiscal Impact

Normal fees and taxes are expected for the City as a result of this project.

Public Contact

City Council Meeting: At the February 27, 2007 City Council meeting, the Council certified the East Sunnyvale ITR EIR, adopted amendments to the General Plan, rezoned property, and added the six Conditions related to this project. The following is a list of those conditions with responses below.

1. Require new residential development to observe a minimum 100-foot separation between existing adjacent industrial buildings and new residential buildings. Allow the Planning Commission to approve exceptions to this separation requirement if circumstances would address noise, odor and hazardous materials issues.
The nearest adjacent industrial building is to the south of this property, across East Duane Avenue. This building is approximately 123 feet from the nearest proposed townhome. The AMD building is approximately 300 feet from the nearest proposed townhome

2. Require height in R-4 areas to maintain no more than three stories (35 feet) when adjacent to (including across the street) single family residential development.

The townhome units throughout the project are three stories and 33 feet in height. The applicant has redesigned the northern side of the condominium building be the three stories and 35 feet high. This northern side includes five condominium units and the concierge building.

3. Encourage the inclusion of fiber optics and access to high-speed internet in new residential development.

The applicant will explore these options during the building permit phase of the project.

4. Work with the developer to encourage a different location for the egress and ingress to reduce impact on Duane Court (such as move traffic from residential street to a collector street).

At the City Council meeting, there were concerns raised by adjacent resident regarding future safety and convenience of vehicles entering and exiting at the East Duane Avenue/Duane Court intersection, as well as concerns about the potential increase in traffic volume.

Subsequent to that meeting, staff met with the applicant and their traffic engineering consultant to explore options for site access that may address the community's concerns. At this meeting, it was again determined that the geometry of the intersections of East Duane Avenue/San Xavier Drive and East Duane Avenue/Lawrence Expressway create a situation where it is not feasible and safe to provide left turn access from East Duane Avenue into the project site. This portion of East Duane Avenue is between San Xavier Drive and Duane Court or on the portion of East Duane Avenue between Lawrence Expressway and San Xavier Drive. It is recommended that left turn access from the project site onto East Duane Avenue be provided only at the intersection of Duane Court and East Duane Avenue. Under existing peak hour conditions vehicles on the southbound approach of the San Xavier Drive/East Duane Avenue intersection currently queue on East Duane Avenue from San Xavier Drive up to Duane Court. The queues are caused by the heavy traffic volumes on Lawrence Expressway and the limited green light time at that traffic signal. These queues block any potential left turn access into and out of the project site on that portion of East Duane. Under similar situations elsewhere in the City where left turn access is allowed, it has been found that accident rates are more than five times higher than what is typically expected. For that reason, staff is not recommending left turn access into or out of the project site on East Duane Avenue, except at Duane Court.

Staff and the applicant have concluded that a reconfiguration to the existing median island and the intersection of East Duane Avenue/Duane Court could improve circulation in that area. Reconfiguring the intersection geometry would remove the high-speed westbound right turn lane by squaring up the intersection. The new configuration would also provide increased visibility and storage capacity for vehicles leaving on Duane Court. Staff is recommending this option as a condition of approval.

5. Include landscaping requirements to reduce the impact of the R-4 project on the adjacent single family homes with final landscaping plans to be approved by the Planning Commission.

The applicant has provided landscape plans showing typical tree planning patterns intended to provide screening, shade, and aesthetic appeal. In the landscape plans (sheet L-3) the applicant has provided a detail of the Duane Court area's proposed landscaping.

6. Stay in touch with the neighborhood regarding traffic calming issues and to consider follow up a year after construction is completed.

To be completed by the applicant.

Planning Commission Hearing: The application was heard before the Planning Commission at their March 26, 2007 meeting. At the hearing, the Commission discussed issues related to the project including: circulation, open space, height, and building setback from the adjacent residential neighborhood. The Commission, on a 5-2 vote, approved the application with modified conditions of approval, stating they were able to make the required findings. The Commission added the following 14 conditions of approval to their motion (See the Draft Planning Commission Minutes in Attachment H for details):

1. Eliminate COA 1.J, that required the building to be set back to the minimum 20 feet on Duane Court only and allow the 15 foot setback proposed by the applicant;
2. COA 1.K modified to allow up to 42% lot coverage, rather than the 40% SMC maximum;
3. COA 1.L modified to require the Tot Lot for the use of young children only (generally under six years old);
4. COA 16.D modified to reference "townhouses only";
5. COA 19.F modified to add the wording "excluding any exceptions granted herein";
6. COA 24.H modified to include the wording "new poles and arms *only if needed to provide the ADA access that is required*";
7. COA 24.N modified to require eight foot sidewalks on Duane Avenue and six foot sidewalks along Duane Court;
8. Eliminate COA 24.U since it is addressed in the EIR making the condition redundant;

9. Eliminate COA 24.V since it is addressed in the EIR making the condition redundant;
10. For staff to review traffic flows (egress and ingress) for the area shown in Attachment F, the Duane Court/Duane Avenue area, preferring the revised version in Attachment F, including the installation of a traffic signal at the intersection if deemed necessary or beneficial and that alternative circulation be looked at allowing a turn pocket in the middle of Duane Avenue for left-hand turns which may require some modification to the recommended triangle plan and to make changes as appropriate;
11. Add a COA 13.O which would read, “New trees shall be native trees as large a species as appropriate for placement on the site”;
12. Add a condition that windows look down on the Tot Lot as a safety issue;
13. A recommendation be added that the external bike racks be nice looking;
14. COA 17.B be added requiring permanent signage to be included in the secured bicycle parking area to prevent the area from being used for other uses.

The Planning Commission additional conditions of approval have been incorporated into the staff Recommended Conditions in Attachment B, except for items 1, 2, 8, and 9.

1. Eliminate COA 1.J, that required the building to be set back to the minimum 20 feet on Duane Court only and allow the 15 foot setback proposed by the applicant.
Staff is not supporting the applicant's proposed 15 foot setback for the two buildings facing Duane Court based on the feedback received from the San Miguel neighborhood. These neighbors share a concern that this project will not be compatible with their existing neighborhood. While single-family homes are not consistent with the intent of the R-4 zoning district, it is possible to achieve a similar front yard setback as the exiting homes across Duane Court. Further, the applicant's testimony at the Planning Commission hearing that the units are really setback of 20 feet was referring to the living area and not the structure which is proposed at 15 feet. Staff believes a 20 foot setback for the structure is necessary to achieve compatibility. Based on this, staff is not supporting Planning Commission's decision to eliminate this condition.
2. COA 1.K modified to allow up to 42% lot coverage, rather than the 40% SMC maximum.
Staff and the applicant have worked together to resolve this issue through several significant redesigns of the site plan but have been unable to reach an obvious solution to this issue. Staff concurs with the applicant's assertion that meeting both SMC requirements and the City's offered density bonus is a challenge but also acknowledges that deviations from the maximum lot coverage are rarely granted. In cases where lot coverage exceptions have

been granted, applicants (typically single-family projects) have been able to demonstrate a hardship or unique situation that would allow the lot coverage requirement to be relaxed. While staff acknowledges that this is a difficult project to design under City development requirements, it does not meet the classification of a hardship or unique circumstance. In addition, increased lot coverage above 40% is not preferable from an environmental perspective since it reduces the amount of pervious surface and reduces landscaping. Therefore staff is not supporting Planning Commission's decision to modify this condition.

8. Eliminate COA 24.U since it is addressed in the EIR making the condition redundant.

This condition allows the City to collect in-lieu fees for any fair share facility upgrades required to the sanitary sewer system, rather than requiring the developer pay 100% of any upgrades required as a result of project impacts.

9. Eliminate COA 24.V since it is addressed in the EIR making the condition redundant.

While the condition for the domestic water supply system was completed with the EIR, a project specific analysis of this system was not. The EIR analysis reviewed the domestic water supply system for the greater area surrounding the proposed General Plan amendment project site. This condition will require a more detailed review of the domestic water supply system, fire flow, and storm water discharge utilities serving the individual project site.

Appeal

The application was appealed on April 6, 2007. The appellants' justification is detailed in their letter of justification in Attachment I. The following is a summary of the issues and recommendations in the letter of appeal, followed by a brief staff comment:

1. Traffic – The new project will increase traffic in the area and create an impact to the existing neighborhood. The appellant suggests a new entry-exit point in the project closer to the western boundary, nearest to Duane Avenue.

Staff has studied this alternative and cannot find an appropriate location that would meet safety standards and address the traffic concerns of the neighborhood. Staff does not support moving the driveway to the west (nearest Duane Avenue) based on the proximity to the intersection of Duane Avenue and Duane Court, and recommends the driveway remain in the proposed location.

2. Height – The project is very large relative to the existing San Miguel neighborhood. The appellant suggests all buildings facing Duane Court be lowered to a maximum of 35 feet high; not just the two townhome buildings and the three units attached to the multifamily building, which are currently proposed at 35 feet high. Additional larger trees should be required to ease the transition from the existing neighborhood to the new project.

Staff does not support lowering the height of the main building since staff believes the proposed design meets the intent of Council's adopted amendments to require a 35 foot height limit.

3. SMC Deviations – The project has two requested deviations, which are significant. These include: 1) building setbacks of 15 feet, instead of 20 feet, and 2) 42% lot coverage, instead of 40%. The appellant suggests the setbacks for all building on Duane Court be made to be the minimum 20 feet, similar to the existing neighborhood, and maintaining the maximum lot coverage of 40%.

Staff supports these requests based on previous discussion in this report.

4. Number of Units – The project is greater than the maximum number of units allowed under the R-4 zoning designation. The appellant suggests lowering the number of units in the project to the maximum density the R-4 zone allows without utilizing the density bonus.

Staff does not support this request since SMC and state law require a density bonus provision in projects where affordable housing units are required.

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> Published in the <i>Sun</i> newspaper Posted on the site 1,000 notices mailed to the property owners and residents within 300 ft. of the project site 	<ul style="list-style-type: none"> Posted on the City of Sunnyvale's Website Provided at the Reference Section of the City of Sunnyvale's Public Library 	<ul style="list-style-type: none"> Posted on the City's official notice bulletin board City of Sunnyvale's Website

Conclusion

Discussion: Staff believes that this project provides a high quality residential project with the following benefits to the City: increased average open space and landscaping per unit; 33 Below Market Rate housing units; high density housing adjacent to a major transportation corridor; and, additional housing ownership

opportunities. Staff finds adequate justification to recommend approval of the project the Recommended Conditions of Approval.

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Special Development Permit. Findings and General Plan Goals are located in Attachment A.

Recommended Conditions of Approval: Conditions of Approval are located in Attachment B.

Alternatives

1. Grant the appeal for five modifications to the project (new driveway location, reduced building height, build setbacks, lot coverage, and reduced number of units) and approve the Special Development Permit and Vesting Tentative Map with the attached conditions.
2. Deny the appeal and uphold the decision of the Planning Commission to approve the Special Development Permit and Vesting Tentative Map with modified conditions, including two of the items raised by the appellant (building setbacks and lot coverage).
3. Deny the appeal and uphold the decision of the Planning Commission to approve the Special Development Permit and Vesting Tentative Map with the attached conditions.
4. Deny the appeal and approve the Special Development Permit and Vesting Tentative Map with modified conditions.

Recommendation

Alternatives 2: Deny the appeal and uphold the decision of the Planning Commission to approve the Special Development Permit and Vesting Tentative Map with modified conditions, including two of the items raised by the appellant (building setbacks and lot coverage).

Reviewed by:

Robert Paternoster
Director of Community Development

Reviewed by: Trudi Ryan, Planning Officer
Prepared by: Steve Lynch, Project Planner

Approved by:

Amy Chan
City Manager

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. City Council Meeting minutes from February 27, 2007
- D. Alternative Intersection Design Plan
- E. Site and Architectural Plans
- F. Letter from San Miguel Neighborhood Association
- G. Letter from Santa Clara County Housing Action Coalition
- H. Planning Commission Minutes from March 26, 2007
- I. Letter of appeal.

General Plan Goals and Policies

Housing and Community Revitalization Sub-element

Policy A.2: *All new residential developments should build at least 75 percent of the permitted density.*

The proposal exceeds this policy with 304 housing units; 15% above the 100% maximum R-4 density.

Policy C.1: *Continue efforts to balance the need for additional housing with other community values, such as preserving the character of established neighborhoods, high quality design, and promoting a sense of identity in each neighborhood.*

The project provides needed housing opportunities within an Industrial to Residential conversion neighborhood (recently approved).

Goal D: *Maintain diversity in tenure, type, size, and location of housing to permit a range of individual choices for all current residents and those expected to become city residents.*

The project provides additional ownership opportunities within a multi-family style of residential development.

Goal E: *Maintain and increase housing units affordable to households of all income levels and ages.*

The proposal meets this goal with 271 market rate units and 33 new BMR units.

Land Use and Transportation Element

Policy C2.2: *Encourage the development of ownership housing to maintain a majority of housing in the city for ownership choices.*

This project achieves this policy with 304 ownership housing units.

Policy N1.2: *Require new development to be compatible with the neighborhood, adjacent land uses and the transportation system.*

The project site is situated between one existing low density single family neighborhood and a recently approved, Industrial to Residential Combining District at the same R-4 density. The

proposed project is compatible with the adjacent land uses and the zoning for the area.

Community Design Sub-element

Policy C.4: *Encourage quality architectural design, which improves the City's identity, inspires creativity, and heightens individual as well as cultural identity.*

The proposed architecture incorporates high quality design and significantly improves the visual appearance of the site. The proposed modern architecture is creative, unique, and will call attention to its design.

Recommended Findings - Special Development Permit

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

The project meets the goals and policies of the General Plan, as enumerated above.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either, the orderly development of, or the existing uses being made of, adjacent properties.

The proposed architecture meets the City-Wide Design Guidelines. The proposed project meets the intent of the ITR combining district. There will be no change in Sunnyvale code requirements as a result of this project; therefore, the existing uses on adjacent properties will not be impacted, interfered, or otherwise damaged by the proposed use. The related and recently approved EIR for the East Sunnyvale Industrial to Residential project includes measures to avoid conflicts with adjacent industrial uses.

Recommended Findings - Tentative Map

Staff is not able to make the findings as enumerated (1-8) for the Tentative Map, with the Recommended Conditions of Approval is in conformance with the Sunnyvale Municipal Code and recommends approval of the map as attached.

The condominium subdivision, together with the provisions for its design and improvements, is consistent with the objectives, policies, general land uses and programs of the General Plan. The project, in conjunction with an approved Special Development Permit, meets the overall density allowed in the proposed R-4 Zoning District and supports a land use that is compatible with the surrounding neighborhood. The project also meets the goals and policies of the General Plan, as enumerated above.

However, the approving authority shall deny the Tentative Map if it makes any of the following findings:

1. That the subdivision is not consistent with the General Plan.
2. That the design or improvement of the proposed subdivision is not consistent with the General Plan.
3. That the site is not physically suitable for the proposed type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.
8. That the map fails to meet or perform one or more requirements or conditions imposed by the "Subdivision Map Act" or by the Municipal Code.

Recommended Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development; major changes may be approved at a public hearing by the Planning Commission.
- B. The Conditions of Approval shall be reproduced on the cover page of the plans submitted for a Building Permit for this project.
- C. Building Permit plans shall be accompanied by an annotated set of the conditions of approval indicating how the project complies with each condition.
- D. Submit a complete plan check for the first Building Permit submittal; no partial sets are allowed.
- E. The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.
- F. The Special Development Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- G. To address storm water runoff pollution prevention requirements, an Impervious Surface Calculation worksheet is required to be completed and submitted for the California Regional Water Quality Control Board prior to issuance of a Building Permit.
- H. A final Stormwater Management Plan is subject to the review of the Director of Community Development prior to issuance of a building permit.
- I. Prior to the issuance of Building Permits the City needs the California Regional Water Quality Board to review and provide a clearance form addressing the ground water/soil contamination, per the East Sunnyvale EIR.
- J. The townhome units on Duane Court shall be setback to the required minimum front yard setback of 20 feet.
- K. The project shall be redesigned to be the maximum 40% lot coverage allowed under the R-4 standards.
- L. The children's play areas (tot lot) shall contain a playground feature

- (play structures) for the use of *young children only (generally under six years old)*. Final design is subject to approval by the Director of Community Development prior to issuance of a building permit.
- M. The first level condominium unit plan “C” in the northeastern most corner of the building shall have the front door facing to Duane Court, not Lawrence Expressway.
 - N. The number of two or three bedroom condominium units shall be reduced by the appropriate number of bedrooms in order to meet SMC parking requirements, or the total number provided in the project shall be increased to meet SMC requirements for the number of bedrooms.
 - O. *Staff shall review traffic flows (egress and ingress) for the area shown in Attachment F, the Duane Court/Duane Avenue area, preferring the revised version in Attachment F, including the installation of a traffic signal at the intersection if deemed necessary or beneficial and that alternative circulation be looked at allowing a turn pocket in the middle of Duane Avenue for left-hand turns which may require some modification to the recommended triangle plan and to make changes as appropriate.*
 - P. *Windows shall look down on the Tot Lot as a safety issue.*

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. Obtain necessary development permit from the Department of Public Works for all proposed off-site improvements.

3. ENVIRONMENTAL MITIGATION MEASURES

- A. In addition to complying with applicable City Codes, Ordinances, and Resolutions, the AMD EIR includes mitigation measures that are incorporated into the project’s approval. The Mitigation Monitoring and Reporting Program, adopted by the City Council 2-27-2007, must be complied with as a condition of approval.

4. BMR (BELOW MARKET RATE UNITS)

- A. This project (2006-0610) will comply with Below Market Rate Housing (BMR) requirements as noted in SMC 19.66.
- B. The project will provide 33 Below Market Rate ownership dwelling units in compliance with SMC 19.66.
- C. The developer shall submit a site plan to the Housing Officer for review. The plan will include a description of the number, type, size and location of each unit on the site. The Housing Officer will then determine the specific units to be obligated as Below Market Rate (BMR) unit(s). (BMR Administrative Guidelines)
- D. Prior to issuance of a building permit, the developer shall execute a Development Agreement with the City to establish the units. The rental/sale price of the BMR unit(s) is established at the time of the

- execution of the Development Agreement. (BMR Administrative Guidelines)
- E. All BMR dwelling units shall be constructed concurrently with non-BMR units, and shall be dispersed throughout the property and shall reflect the range in numbers of bedrooms provided in the total project and shall not be distinguished by exterior design, construction or materials. (SMC 19.66.020(c))
 - F. Sixty days (60) days prior to the estimated occupancy date, the developer shall notify the Housing Division of the BMR units to be available. (BMR Administrative Guidelines)
 - G. BMR Ownership Program - Developer and Buyer to execute "Addendum to Purchase Offer" prior to Occupancy Permit and provide copy to City. (BMR Administrative Guidelines)
 - H. Ownership Units - Prior to Close of Escrow, a Deed of Trust between the City and the Buyer of the BMR unit shall be recorded to establish resale and occupancy restrictions for a 30-year period.
 - I. The original sale price of BMR dwelling units shall comply with sales prices established by the City, which is revised annually. (SMC 19.66.040 (c))
 - J. Below Market Rate dwelling units shall be offered for sale/rent only to persons qualified under the terms described in SMC 19.66.040 and 19.66.050 and described more fully in the Administrative Guidelines. (BMR Rental Units / BMR Ownership Program)
 - K. Resale of BMR dwelling units shall comply with procedures set forth in SMC 19.66.060.
 - L. In the event of any material breach of the Below Market Rate Program requirements and conditions, the City may institute appropriate legal actions or proceedings necessary to ensure compliance. (SMC 19.66.140)
 - M. In the event that any of the Below Market Rate dwelling units or a portion thereof is destroyed by fire or other cause, all insurance proceeds therefrom shall be used to rebuild such units. Grantee hereby covenants to cause the City of Sunnyvale to be named additional insured party to all fire and casualty insurance policies pertaining to said assisted units. (BMR Administrative Guidelines)

5. CC&R's (CONDITIONS, COVENANTS AND RESTRICTIONS)

- A. Any proposed deeds, covenants, restrictions and by-laws relating to the subdivision are subject to review and approval by the Director of Community Development and the City Attorney.
- B. The developer/Owner shall create a Homeowner's Association that comports with the state law requirements for Common Interest Developments. Covenants, conditions and restrictions (CC&Rs) relating to the development are subject to approval by the City Attorney and Director of Community Development prior to approval

of the Final Map. In addition to requirements as may be specified elsewhere, the CC&R's shall include the following provisions:

- A. Membership in and support of an association controlling and maintaining all common facilities shall be mandatory for all property owners within the development.
- B. The homeowners association shall obtain approval from the Director of Community Development prior to any modification of the CC&R's pertaining to or specifying the City.
- C. The developer shall maintain all utilities and landscaping for a period of three years following installation of such improvements or until the improvements are transferred to a homeowners association, following sale of at least 75% of the units, whichever comes first.
- D. The Conditions of Approval of this SDP.
- C. The CC&Rs shall contain the following language:
 - A. "Right to Remedy Failure to Maintain Common Area. In the event that there is a failure to maintain the Common Area so that owners, lessees, and their guests suffer, or will suffer, substantial diminution in the enjoyment, use, or property value of their Project, thereby impairing the health, safety and welfare of the residents in the Project, the City, by and through its duly authorized officers and employees, will have the right to enter upon the subject Property, and to commence and complete such work as is necessary to maintain said Common Area. The City will enter and repair only if, after giving the Association and Owners written notice of the failure to maintain the Common Area, they do not commence correction of such conditions in no more than thirty (30) days from the giving of the notice and proceed diligently to completion. All expenses incurred by the City shall be paid within thirty (30) days of written demand. Upon a failure to pay within said thirty (30) days, the City will have the right to impose a lien for the proportionate share of such costs against each Lot in the Project.
- D. It is understood that by the provisions hereof, the City is not required to take any affirmative action, and any action undertaken by the City will be that which, in its sole discretion, it deems reasonable to protect the public health, safety and general welfare, and to enforce it and the regulations and ordinances and other laws.
- E. It is understood that action or inaction by the City, under the provisions hereof, will not constitute a waiver or relinquishment of any of its rights to seek redress for the violation of any of the provisions of these restrictions or any of the rules, regulations and ordinances of the City, or of other laws by way of a suit in law or equity in a court of competent jurisdiction or by other action.

- F. It is further understood that the remedies available to the City by the provision of this section or by reason of any other provisions of law will be cumulative and not exclusive of the maintenance of any other remedy. In this connection, it is understood and agreed that the failure to maintain the Common Area will be deemed to be a public nuisance and the City will have the right to abate said condition, assess the costs thereof, and cause the collection of said assessments to be made on the tax roll in the manner provided by appropriate provisions of the Sunnyvale Municipal Code or any other applicable law.
- G. No Waiver. No failure of the City of Sunnyvale to enforce any of the covenants or restrictions contained herein will in any event render them ineffective.
- H. Third-Party Beneficiary: The rights of the City of Sunnyvale pursuant to this Article will be the rights of an intended third party beneficiary of a contract, as provided in Section 1559 of the California Civil Code, except that there will be no right of Declarant, the Association, or any Owner(s) to rescind the contract involved so as to defeat such rights of the City of Sunnyvale.
- I. Hold Harmless. Declarant, Owners, and each successor in interest of Declarant and said Owners, hereby agree to save, defend and hold the City of Sunnyvale harmless from any and all liability for inverse condemnation which may result from, or be based upon, City's approval of the Development of the subject Property."
- J. The Homeowners Association shall be required to maintain and keep up to date transit information and rideshare information for display in an on site kiosk. The display shall include current VTA transit map, Caltrain station map, contact information websites and phone number for Caltrain, VTA, www.511.org, etc.

6. DESIGN/EXTERIOR COLORS AND MATERIALS

- A. The plans shall be revised to be consistent with the Design Guidelines to provide the following:
 - 1. Provide an enhanced front elevation for both buildings that help to strengthen the entryways and create a prominent or more special main entrance into the buildings;
 - 2. Only high quality materials may be used on the exterior (e.g. no low grade foam trim, EIFS, etc., unless the materials proposed can be shown to be of a quality, appearance, and longevity equivalent to real wood).
- B. All horizontal metal railings shown on the elevations of the condominium building and townhomes (i.e. balcony railings) shall be retained as integral features of the modern architecture and shall be incorporated into the Building Permit plans.
- C. All vertical and horizontal bands or lines shown on the exterior

elevations shall be at least one inch wide by one inch deep by one inch tall, unless it can be demonstrated that another dimension will meet the intent of creating sharp, deep, distinctive lines or scoring.

- D. The eyebrow features on the rooftops of the buildings shall remain at least the same depth or greater as the approved plans.
- E. Final exterior building materials and color scheme are subject to review and approval of the Director of Community Development prior to issuance of a building permit, but shall have only minor alterations over the approved elevations.

7. GREEN BUILDING REQUIREMENTS

- A. Demolition: Maximum amount of existing building will be recycled during demolition.
- B. Landscaping:
 - 1. 75 percent of plants are California Natives or Mediterranean species.
 - 2. Plant shade trees in all locations where feasible, per Landscape Architect recommendations.
 - 3. Apply soil amenities to top soil, per Landscape Architect recommendations.
 - 4. Add mulch to planting beds (2")
 - 5. Reduce lighting pollution, by shielding fixtures and using down lighting, without impact to health and safety.
- C. Foundation: Minimum 20 percent flyash.
- D. Structural Frame & Building Envelope:
 - 1. Engineered Lumber shall be used for the following:
 - a. Beams and headers.
 - b. Wood I-Joists or web trusses for floors.
 - c. Wood I-Joists for ceilings.
 - 2. Design energy seals on trusses (75% of attic insulation height at outside edge of exterior wall).
 - 3. Design trusses to accommodate ductwork.
 - 4. Tightly seal the air barrier between garage and living area.
- E. Exterior Finish:
 - 1. Use durable and non-combustible siding materials.
 - 2. Select durable and non-combustible roofing materials.
- F. Insulate: All hot water pipes or install on-demand hot water circulation systems.
- G. Appliances:
 - 1. All shall be Energy Star or equivalent compliant.
 - 2. Install Energy Star or equivalent clothes washing machine with water factor of six or less.
 - 3. Install built-in recycling center
- H. Insulation:
 - 1. Installed in all ceilings.

2. Installed in all walls and/or floors
 3. Pre-drywall inspection shows quality installation
- I. Heating, Ventilation, and Air Conditioning:
1. Design and install the following to ACCA Manual Recommendations:
 - a. HVAC system
 - b. Furnaces
 - c. Water Heaters.
 2. No fireplace or sealed gas fireplace with efficiency rating not less than 60% is allowed and shall meet current City regulations for new fireplace inserts.
 3. Install the following:
 - a. Energy Star or equivalent compliant ceiling fans with CFLs in living areas and bedrooms.
 - b. Integrated system with variable speed control
 - c. IHVAC unit within conditioned space.
 - d. Pressure balance the system for master bedroom.
 - e. Energy Star or equivalent compliant bathroom fan.
 4. Use low-zone range hood vented to the outside.
- J. Building Performance:
1. House Obtains Energy Star or equivalent compliance with indoor air package certification
 2. Blower door test performed (Per Title 24 Report)
- K. Finishes:
1. All adhesives shall be:
 - a. Low-VOC Interior Wall/Ceiling Paints (<50 gpl VOCs (Flat) and <150 gpl VOCs (Non-Flat)
 - b. Low VOC, Water-Based Wood Finishes (<150 gpl VOCs)
 - c. Low-VOC Construction Adhesives (<70 gpl VOCs).
- L. Building Materials:
1. Use the maximum amount of regional materials as practicable.
 2. Use the maximum amount of recycled building materials as practicable.
 3. Use of Low-E, double pane windows.

8. EASEMENTS AND DEDICATIONS

- A. Dedicate public utility easement on site, in accordance with the approved Tract Map. Install these facilities per Department of Public Works requirements.
- B. Dedicate all private streets as emergency vehicle ingress-egress easements.

9. EXTERIOR EQUIPMENT

- A. There shall be no roof or window mounted air conditioner units allowed.

- B. Individual air conditioning units on the roof shall be screened with architecture features. This screening shall be shown on the building plans.

10. FEES

- A. Pay Park In-lieu fees estimated at \$7,938.81 per unit, for a total of \$2,413,398.24 prior to approval of the Final Map or Vesting Tentative Map. (SMC 18.10)
- B. Pay Traffic Impact fees at the time of Building Permit issuance estimated at \$113,580.

11. FENCES

- A. Design and location of all proposed fencing and/or walls are subject to the review and approval by the Director of Community Development.
- B. The landscape/patio walls shall not be higher than three feet, unless otherwise approved by the Director of Community Development.
- C. Any front yard fence between the building and the public right-of-way shall not exceed three feet in height.
- D. The fence or wall shall not exceed three feet in height for a distance of 10 feet from the street right-of-way (i.e. located outside of the vision triangle area).
- E. Chain link and barbed wire fences are not allowed.
- F. Install and maintain an eight-foot solid decorative masonry wall, measured from the highest adjoining grade, of a design approved by the Director of Community Development along the southeastern property lines (entire frontage adjacent to gas station/car wash) where the subject property abuts adjacent R&D uses. Wherever the grade differential is one foot or higher, a concrete or masonry retaining wall shall be installed. The wall shall not impact the health of the existing trees on the subject or adjacent parcels.
- G. Only fences, hedges and shrubs or other natural objects three feet or less in height may be located within a “vision triangle” (For definition, refer to Vision Triangle brochure or SMC 19.12.040(16), SMC 19.12.050 (12))

12. TREE PRESERVATION

- A. The applicant shall resubmit a new arborist’s report for review and approval by the City Arborist prior to issuance of a Demolition Permit or Grading Permit. The City Arborist and Community Development director shall have discretion over the final trees to be saved in this project.
- B. Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree

protection plan from the Director of Community Development. Two copies are required to be submitted for review.

- C. A new City sidewalk will need to be installed with a continuous piece of root barrier installed per City specifications.
- D. The tree protection mitigation shall be installed prior to commencement of any construction activities on-site, subject to the on-site inspection and approval by the City Arborist.
- E. The tree protection plan shall remain in place for the duration of construction.
- F. Overlay Civil plans including utility lines to ensure that the tree root system is not damaged.

13. LANDSCAPING

- A. All balconies in the condominium building shall be expanded to be at least 80 sf. or larger and seven feet by seven feet or greater, so they can count towards SMC's Usable Open Space Requirement.
- B. Street landscaping plans are required and are subject to review and approval by the Public Works City Landscape Section.
- C. This project shall be responsible for landscaping the two medians on East Duane, per the approved landscape plans.
- D. The landscape plan shall include the new street trees
- E. All new street trees shall be at least 24-inch box trees.
- F. Install street trees to City standard along all project frontages.
- G. Decorative paving as required by the Director of Community Development to distinguish entry driveways, building entries, pedestrian paths and common areas shall be installed to a depth of 10 feet at the entrances of all private streets (six total) leading from the public streets.
- H. Landscape and irrigation plans are subject to approval by the Director of Community Development prior to issuance of a Building Permit. Landscaping and irrigation shall be installed prior to occupancy. The landscape plan shall be consistent with the approved plan.
- I. Provide separate meter for domestic and irrigation water systems.
- J. All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition.
- K. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices.
- L. Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- M. All areas not required for parking, driveways or structures shall be landscaped.
- N. Provide a tree protection plan prior to demolition of the site.

- O. New trees shall be native trees as large a species as appropriate for placement on the site.*

14. LIGHTING

- A. Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for approval by the Director of Community Development. Driveway and parking area lights shall include the following:
1. Sodium vapor (of illumination with an equivalent energy savings).
 2. Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall be of pedestrian scale and not be greater than eight feet in height on the periphery of the project.
 3. Provide photocells for on/off control of all security and area lights.
 4. All exterior security lights shall be equipped with vandal resistant covers.
 5. Lights shall have shields to prevent glare onto adjacent residential properties.
- B. Prior to issuance of a Building Permit submit a contour photometric plan for approval by the Director of Community Development.
- C. Install lights at a minimum of 50 foot intervals along all private streets.

15. ON-SITE AMENITIES

- A. Swimming pools, pool equipment structures, play equipment and other accessory structures, except as otherwise subject to Planning Commission review, may be allowed by the Director of Community Development subject to approval of design, location and colors.
- B. An on-site kiosk or display case is required to provide transit and rideshare information. The case needs to be a minimum of 34 inches wide to accommodate a VTA map and may be located on a building, wall, trellis, or other on-site feature to the approval of the Community Development Director.
- C. Knox Box system (key switch) shall be located in accordance with the Fire Prevention Bureau requirements at all locked gates.

16. PARKING

- A. All uncovered spaces shall be reserved as guest and unassigned residential parking spaces and shall remain unassigned.
- B. 25% of the unassigned spaces shall be marked as “guest only” spaces. Indicate guest parking spaces on plans. Such spaces shall be clearly designated prior to occupancy in a manner approved by the Director of Community Development.

- C. No parking spaces shall be sold, rented, or leased to individual homeowners (by the developer or subsequent HOA), except the attached two car garages which shall be for the exclusive use of the attached unit.
- D. Garage spaces shall be maintained at all times so as to allow parking of two automobiles *in the townhomes only*.
- E. Specify compact parking spaces on Building Permit plans. All such areas shall be clearly marked prior to occupancy, as approved by the Director of Community Development.
- F. Unenclosed storage of any vehicle intended for recreation purposes, including land conveyances, vessels and aircraft, but excluding attached camper bodies and motor homes not exceeding 18 feet in length, is prohibited on the premises.

17. BICYCLE PARKING

- A. Provide 20 Class II bicycle parking spaces (per VTA Bicycle Technical Guidelines) as approved by the Director of Community Development. These spaces should be dispersed into four separate areas on site.
- B. *Permanent signage shall be included in the secured bicycle parking area to prevent the area from being used for other uses.*
- C. *Recommendation that the external bike racks be nice looking.*

18. RECYCLING AND SOLID WASTE

- A. Submit a detailed recycling and solid waste disposal plan to the Director of Community Development for approval.
- B. The condominium building shall have easy access for residents to the trash and recycling chutes, with all units within 150 ft.
- C. The chute system is subject to final approval of the Director of Public Works and must include a chute cleaning and maintenance plan. In addition to one chute for refuse, two chutes are to be provided for recycling (one for newspaper and the other for containers).
- D. All materials for recycling and disposal generated by the demolition of the existing buildings shall be tracked and submitted to the Community Development Department.
- E. All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.
- F. The enclosure shall be of masonry construction and shall match the exterior design, materials and color of the adjacent main building.
- G. All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic.

19. RIGHT-OF-WAY IMPROVEMENTS

- A. Obtain a Development Permit from the Department of Public Works for improvements.
- B. Remove and replace all uplifted and damaged curb, gutter, and

- sidewalk along East Duane Avenue and Duane Court.
- C. The City Arborist shall decide whether or not to have a detached walk with standard 5' park strip or attached/monolithic sidewalk, with the intent to save as many existing trees as possible.
 - D. Installation of new and/or upgrade of existing fire hydrants is required along entire project frontage.
 - E. Construct handicap ramps at all street corners/intersections per City standards.
 - F. This project is subject to and contingent upon the AMD Project EIR, and all associated guidelines and requirements, *excluding any exceptions granted herein*.
 - G. All wet utilities (water, sanitary sewer, storm drain) in private streets and private drives shall be privately maintained. For water lines, install master water meter(s) in the public right of way. For each master water meter installation, a double check detector assembly is required. For private sanitary sewer and storm, install a manhole or cleanout at the ROW line. Install a separate irrigation meter with a backflow prevention device.
 - H. Contact the utility companies for their review/approval requirements and/or procedures for site development and existing easement vacation/removal.
 - I. Pay all applicable Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees and off-site improvement plan check and inspection fees, prior to map recordation.
 - J. This project shall comply with all standard PW/Engineering conditions of approval (available upon request).
 - K. This project is required to pay for or construct its fair share of neighborhood pedestrian and streetscape enhancement as determined by the AMD EIR/GPA subsequent land plan. ("Sense of Place" fee). This fee shall be a maximum of \$1,000 per unit.

20. TRAILERS

- A. The temporary sales and construction trailer(s) shall be subject to following requirements:
 - 1. Trailer(s) shall be placed on the premises not sooner than 15 days following the date of City approval and shall be removed 30 days after the final unit is sold.
 - 2. Trailer entrance(s) shall be oriented towards the nearest building.
 - 3. Any variation from the location of the trailer(s), as represented by the submitted plan, shall be subject to approval by the Director of Community Development.
 - 4. Area lighting shall be provided in the vicinity of the trailer(s).

21. UNDERGROUND UTILITIES

- A. All proposed utilities shall be undergrounded.

22. VEHICLES

- A. No vehicles or trailers shall be advertised for sale or rent on the site and nor vehicle sales, leasing or rentals shall be conducted at the site.

23. MISCELLANEOUS

- A. The clubhouse water heaters shall be tankless water heaters.

24. VESTING TENTATIVE MAP CONDITIONS

- A. The existing median island and the intersection of East Duane Avenue/Duane Court shall be reconfigured by squaring up the intersection geometry, subject to the final review and approval of the Director of Public Works.
- B. The developer shall sign an agreement with the City indemnifying the City from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City, and the City shall promptly notify the developer of any claim, action, or proceeding and shall cooperate fully in the defense.
- C. Execute a Subdivision Agreement and provide improvement securities and/or cash deposits as outlined in the Subdivision Agreement prior to map recordation.
- D. Full development fees shall be paid for each project parcel or lot shown on the Final Tract Map and the fees shall be calculated in accordance with City Resolutions current at the time of payment.
- E. Comply with all applicable code requirements as noted in the Standard Development Requirements. Remove existing driveways on De Guigne and on Duane and replace curb/gutter and sidewalk to City Standards.
- F. Remove/replace/upgrade/install to City standards all streetlights, conduits, and conductors along entire project frontage. Installation of new streetlights is required along adjacent public streets. Replace all existing Octo-flute street lights with new Marblelite street lights along project frontage. Add new street lights where necessary to bring up to City spec along project frontage. This will require one or more new street light service points to be determined during plan design.
- G. New city streets shall be built to City Standards for private residential street.
- H. Modify the traffic signal at San Xavier/East Duane with new poles and arms *only if needed to provide the ADA access that is required*. The equipment needs to be placed at the back of the sidewalk to

provide ADA access.

- I. Install new conduit from the north-east corner to the southeast corner and tie into existing pull box. Pull new interconnect cable to Lawrence Expressway and East Duane.
- J. Replace existing curb ramps with new ADA curb ramps.
- K. Provide parking pad for maintenance vehicles to pull off roadway to maintain traffic signal at the northeast corner.
- L. Remove chatter bar median, AC in median area, and replace with new striping. Median was for existing southern driveway to prevent vehicles from crossing all lanes to go south on Duane, driveway is being removed in this project so no longer necessary.
- M. Construct a median island along the entire project Duane Ave frontage (to assure that driveway on Duane is right-in, right-out only) where the existing striped island exists.
- N. Install new *eight foot sidewalks on Duane Avenue and six foot sidewalks along Duane Court.*
- O. Applicant will be required to implement all traffic study recommendations pertaining to this development.
- P. Gates at driveways entrances are not permitted.
- Q. No parking will be permitted within the Duane Ct cul-de-sac, along the Duane Ave frontage, or within 30 feet on either side of the Duane Ct driveway.
- R. A Vesting Tentative Map for parcel 1 & 2 as indicated on the Vesting Tentative Map is acceptable as an interim step in developing the property as proposed. However subsequent final maps are required for both parcels when final approval for more than five ownership units is sought. Since the two parcels, when developed, are interdependent in regards to utilities, internal access streets, on-site parking, and amenities, all such improvements must be completed prior to final occupancy approval of any of the proposed dwelling units.
- S. Provide a current (within 90 days of submittal) preliminary (title) report and copies of any record maps of this and adjacent parcels. Comply with Map Act and City standard requirements for final maps.
- T. Given the width of the project's internal streets, all internal streets and on-site wet utilities (water, sewer, and storm drainage) are to be privately owned and maintained. Obtain private utility permits for this work.
- U. According to the East Sunnyvale Industrial to Residential (ITR) EIR and related analyses, the existing sanitary sewer system in this area of the City has elements that are not adequately sized to meet the increased discharge from this development. A sanitary sewer system analysis is required for this development and the downstream sanitary sewer system serving the area taking into account the

build-out of tributary areas. Any changes to or deficiencies in the existing system in the immediate vicinity of the project will need to be addressed at the expense of the developer, and/or sewer impact fees paid in lieu of facility upgrades.

- V. According to the East Sunnyvale ITR EIR and related analyses, the existing domestic water system in this area of the City is adequately sized and has adequate pressure to meet the increased fire and domestic demand from this development. This is to be confirmed by preparation of a domestic and fire flow water demand analysis for this development. Any changes to or deficiencies in the existing water system in the immediate vicinity of the project will need to be addressed at the expense of the developer. A master (City water) meter(s) to the property will be required in addition to private meters for each unit. A storm water discharge analysis is required for this development.
- W. The adequacy of existing public storm drainage system will need to be assessed and any changes to or deficiencies in the existing system in the immediate vicinity of the project will need to be addressed at the expense of the developer.
- X. Provide a copy of the geotechnical and environmental (Phase 1 & 2) reports for the property and adjacent streets. Traffic indices used for pavement section design shall be based on the East Sunnyvale ITR EIR traffic projections.
- Y. Any changes to or deficiencies in the adjacent public streets are to be rectified at the expense of the developer. The half-street of public streets adjacent to the development are to be slurry sealed and restriped/marked after completion of improvements and installation of utilities, prior to final acceptance of public improvements.
- Z. The project is to meet all City development standards, post improvement securities for off-site improvements, execute a subdivision agreement, and pay all appropriate development fees prior to recordation of the final map.
- AA. Provide will-serve and R/W clearance letters from utility companies, and a clearance letter from Santa Clara County regarding interfaces with Lawrence Expressway and from VTA regarding any affected County Transit facilities.

DRAFT MINUTES*
SUNNYVALE CITY COUNCIL MEETING
TUESDAY, FEBRUARY 27, 2007

PUBLIC HEARINGS/GENERAL BUSINESS

**ORDINANCE
RESOLUTION**

RTC 07-084 (*html*)

Application(s) for related proposals for an approximately 130-acre site located between East Duane Avenue, Stewart Drive, Wolfe Road and Xavior Drive. M-S (Industrial and Service) Zoning District

- **Certify the Environmental Impact Report and make Statements of Overriding Consideration;**
- **General Plan Amendment to change the land use designation from Industry to Industrial-to-Residential (High Density Residential, Medium Density Residential, Low Medium Density Residential);**
- **Rezone the study area from M-S (Industrial and Service) to M-S/ITR (Industrial-to-Residential) with appropriate residential designations (R4/PD, R3/PD, R1.7/PD) and C-2.**

Councilmember Howe disclosed that he met with the applicant, received numerous e-mails, and has spoken with a number of the neighbors regarding this project.

Councilmember Hamilton disclosed that she met with representatives from Spansion (fabrication plant) and the Riding Group. She stated she has also spoken to neighbors and had a phone conversation with a representative from AMD Corporation.

Councilmember Chu disclosed he met with neighbors, members of the Riding Group, AMD, and Spansion. He stated he has also received documents related to Taylor Woodrow.

Councilmember Swegles disclosed he met with members of the Riding Group and AMD.

Vice Mayor Spitaleri disclosed he met with members from the Riding Group; Spansion; AMD, and homeowner group associations.

Councilmember Moylan disclosed he had a phone call with a representative from Spansion earlier in the day.

Mayor Lee disclosed he met with the Riding Group, Spansion, AMD, and a few neighbors previously, and earlier today he drove around the site.

Principal Planner Gerri Caruso presented the staff report.

Councilmember Hamilton stated she was not present at the original vote on this item in 2004 and asked what triggers ITR (industrial-to-residential) zoning. Principal Planner Caruso stated ITR is considered a combining district and under the ITR designation, both M-S (industrial and service) and residential are allowed. The market determines the transition and the uses can co-exist side-by-side in the zoning district.

Councilmember Hamilton inquired as to how many of the current ITR districts have switched to residential. Planning Officer Trudi Ryan stated about 6,000 units were rezoned to include the ITR designation and about 2,000 units have been approved.

Councilmember Hamilton confirmed with staff that Council could rezone a portion of the area and that new zoning or general plan amendments do not need to apply to the entire study area.

Councilmember Swegles inquired as to how many homes would be lost if Council wanted to increase the 100-foot set back between existing buildings and any new residential within the Spansion area. Planning Officer Ryan stated since homes have not been built or planned, there would not be a loss of homes, there would just be fewer homes allowed. She continued that an increase in the set back could (or could not) affect the number of homes, depending on what site planning opportunities there are and what zoning district may apply to the property. For example, one zoning district may be able to cluster homes differently and a single family zoning district may need to take advantage of open space or roadways as the buffer area between buildings.

Councilmember Swegles asked if there would be a problem with transporting sewage if all of the proposed homes were built. Principal Planner Caruso stated if the General Plan Amendment is approved, staff will have to determine the cost of improvements to the sewer line to allow for the increased demand and then the developers would share in that cost with the City.

Councilmember Chu asked what the maximum number of housing units that would be allowed under the Environmental Impact Report (EIR). Principal Planner Caruso stated a maximum of 2,842 units were studied. Councilmember Chu confirmed that staff is recommending 230 fewer units.

Councilmember Chu inquired if Council would be able to impose Below Market Rate Housing (BMR) criteria for this project. Planning Officer Ryan stated Council could not modify BMR criteria this evening. Council could direct a study to modify the zoning code to require BMR of R-1.5 and R-1.7 zoning districts. Planning Officer Ryan explained that applications received after an ordinance has been modified would be subject to the requirement, but not prior to the modifications being approved.

Public hearing opened 7:56 p.m.

Thomas McCoy, Senior Vice President and General Counsel for AMD Corporation, presented information about AMD Corporation and stated that AMD is in support of the staff recommendation.

Councilmember Swegles confirmed with Mr. McCoy that AMD will be consolidating space in Austin, Texas, but that the headquarters for the corporation is in Sunnyvale and will not be moving.

Councilmember Swegles inquired if the 10-foot set back was enough space between potential hazardous materials and residential. Mr. McCoy stated he would refer that question to the Riding Group.

Sean Morley, on behalf of the Riding Group, spoke in favor of the project and the benefits the ITR District will offer to the community. He stated the 130 acres is currently

part of a mixed-use area.

Councilmember Howe asked Mr. Morley if his project (which is Item 5 on this evening's agenda) encompasses the AMD property only. Mr. Morley confirmed that the Riding Group is the applicant for Item 5 and that their project is confined to property that AMD either has ownership or control over, with the exception of a very small property at Duane and DeGuigne. This small section on the corner is owned by another family and was a former gas station on the corner.

Councilmember Swegles inquired if a 100-foot set back was enough space between hazardous materials and his project. Mr. Morley stated they preferred that the decision on whether if an ITR development needs a larger set back (under the residential zoning code) be handled on a case by case basis. Mr. Morley stated in this project, they have addressed this issue by ringing their site with a public street, but normally a 100-foot set back is sufficient.

Michael Dollinger, General Partner of the seven-acre parcel (easterly site facing Lawrence Expressway), stated his support for this project and agreement with the staff recommendation.

Elizabeth Morin, a neighbor in the area of this project, stated she supports the AMD project but is against the Duane Court project proposed by the Taylor Woodrow. She stated the project on Duane Court is too dense, will create traffic concerns and is too close to existing homes, exposing them to construction noise and disruption.

Councilmember Howe confirmed with Robert Paternoster, Director of Community Development, that the residential noise ordinance would encompass the surrounding neighborhood for the Duane Avenue project and that the project would take approximately one year to complete.

Richard Weigand, Manager of Spansion's Risk Management and Real Estate Department, stated concerns over the inclusion of residential homes and schools surrounding their building. He stated being surrounded by homes and schools would lessen the likelihood Spansion will remain in their current location. Mr. Weigand stated if Council approves the ITR zoning change, Spansion is recommending that the western portion of the ITR area be excluded (which is the portion that is being proposed for medium- to low-density residential development).

Councilmember Swegles inquired if the 10-foot set back was adequate. Mr. Weigand stated during the Planning Commission meeting, Spansion requested that the set back be between 104 to 120 feet, with 120 feet (building-line to building-line) as their preference. This set back would be required if Spansion wished to locate in a residential area. Planning Officer Ryan stated that between an industrial building and the back yard property line would be 100 feet, then an additional 20 feet from the property line to the house is how the set back is broken down.

Tara Martin-Milius, representing San Miguel Neighborhood Association, stated the neighborhood's concern is over the far northeast corner which is the seven-acre plot across from AMD (closest to the San Miguel Neighborhood). Ms. Martin-Milius stated the neighbors are requesting the area be rezoned from R-4 to R-3 and that the existing set backs be retained. Additionally, the residential height should be reduced from 35 feet to 25 feet and a traffic evaluation needs to be completed for the proposed area on Duane Court.

Councilmember Howe asked staff what the difference in the number of housing units is between R-4 and R-3 zoning. Planning Officer Ryan stated R-3 allows for 24 units per acre and R-4 would allow 36 units, with a 15 percent density bonus allowable for both.

Councilmember Howe confirmed R-3 allows for a height limit of 30 feet (35 feet for a townhouse) and R-4 has a 55-foot height limit with a provision to go up to 60 feet if there is underground parking. Councilmember Howe confirmed that the height limit across the street is 30 feet.

Councilmember Chu inquired about the width of Duane Court and Planning Officer Ryan stated traffic staff believes it is about 60 feet (sidewalk to sidewalk).

Councilmember Chu confirmed with Planning Officer Ryan that Taylor Woodrow has submitted plans for their proposal and they are currently working with staff on the design phase. Should Council change the General Plan and the zoning on the property, Taylor Woodrow's application would be reviewed by the Planning Commission without Council review unless there was an appeal. Councilmember Chu confirmed with Planning Officer Ryan that Taylor Woodrow has submitted a concurrent application for R-4 just as the Riding Group has submitted a concurrent application for an R-3 level development.

Philip Mader, Senior Vice-President of the Northern California Division of Taylor Woodrow, provided a summary of his project to Council.

Councilmember Howe asked Mr. Mader how long he estimates it will take to build his project and Mr. Mader responded that it will be approximately 18 months.

Councilmember Howe asked staff if there is a landscape plan being proposed that would assist in blocking out the tall buildings from the existing neighborhood. Planning Officer Ryan stated a conceptual landscape plan would be submitted as part of this project to the Planning Commission. The Planning Commission would look at the generic components of any landscape plan and then the final landscape plan would be reviewed at the staff level.

Councilmember Hamilton asked what the proposed heights for this project are and Mr. Mader stated the three-story buildings would be approximately 36 feet and up to 60 feet for the five-story buildings.

Glen Chambers spoke against building over an R-3 density within the project.

Nancy Tivol, Executive Director of Sunnyvale Community Services, stated her organization supports the proposed project. Ms. Tivol stated concern over the lack of below market rate units within portions of the project. Sunnyvale Community Services is in support of a study issue to include BMR units for single-family home developments. Ms. Tivol disclosed AMD gave Sunnyvale Community Services a very large donation. However, their advocacy position was developed without any knowledge of this project and as part of the board's strategic plan.

Arthur Schwartz stated he questioned if the City is looking far enough into the future for industrial land needs. Mr. Schwartz stated traffic on Duane Court will be a huge issue and needs to be addressed. The proposed 60-foot building height, across from single family housing, is totally out of place. Mr. Schwartz suggested the height start out at the northern end at a lower level and as the buildings move south they can gradually

increase in height.

Greg Poncetta, a local commercial real estate broker, stated he supports the proposal.

Larry Alba asked if all the owners have been notified of this proposal as he did not believe everyone was in attendance at the meeting. Principal Planner Caruso stated all property owners within the study area and within 300 feet of the study area have been notified. Mr. Alba stated he has concerns over the width of the roadways, density of the project and believes the housing in the area should be single-family homes in order to complement the existing housing in the area, not high-density tall residential buildings.

Werner Gans inquired if the soil is contaminated within the proposed area. Principal Planner Caruso stated there is some contamination. The City's EIR consultants stated there is existing soil and groundwater contamination on the site. The contamination that was found is residual levels of pesticides which are in keeping with the agricultural community Sunnyvale once was. Prior to the property being developed, regulatory oversight of health risk evaluations that are performed should occur. Mr. Gans inquired if there are solvents in the groundwater and the consultant confirmed they did find solvents and stated mitigation measures may be needed to address the off-gassing of these chemicals. Mr. Gans inquired if one of the solvents is TCE and the consultant stated there are a variety of solvents and TCE is one of them. Mr. Gans stated his concerns over any development being placed at this site due to these environmental concerns at the site.

Mr. Gans stated concerns over the removal of 126 mature trees at the site and asked if there is a way to avoid this removal. Planning Officer Ryan stated the tree issue would be addressed at a project level.

Councilmember Chu confirmed with the consultant that the solvents in the groundwater are only industrial-related and not pesticide-related. The pesticides are in the soil and the solvents in the groundwater. Councilmember Chu stated the area was formerly an agricultural farm and pesticides would be expected and the consultant agreed stating they expected to see higher concentrations of pesticide than what was found.

Robert Gibson stated concerns over the proposed project with increased traffic. Mr. Gibson confirmed that parts of the site are located on a superfund (United States Environmental Law) site.

Councilmember Howe confirmed with the EIR consultant that the building itself will cap the contaminated soil sufficiently and regarding off-gassing (which only exists along the eastern-most boundary of the site). As a precautionary measure, an impermeable membrane will be sprayed on the foundations of the houses in that zone to prevent vapors from migrating into the structures.

Councilmember Howe asked if any of the proposed residential areas within this project that have containments would exceed the State of California limits, and would this allow the City of Sunnyvale to approve a residential development. The consultant stated that there are probably several sites that have not been investigated and will likely have containments that exceed state standards, but they can easily be mitigated.

Mr. Morley returned to the podium to give closing statements. He stated the vast majority of the owners of the site did consent to the undertaking of the study area. Mr.

Morley stated the Riding Group is not in favor of moving the park because it would create an issue with their land plan and does not meet the overall land objectives from the development standpoint that the City staff had hoped to achieve with this site. Regarding the 120-foot set back requirement, there is no evidence that the standard should be a requirement that has to be achieved in every instance.

Councilmember Swegles inquired how large the back yard of the homes would be and Mr. Morley stated approximately 10 to 15 feet and the front would be approximately eight feet.

Councilmember Howe asked the mayor if he would consider allowing the representatives from Spansion and AMD time to give closing statements. Mayor Lee agreed.

The representatives did not request to speak.

Councilmember Chu extended the offer to the representative from Taylor Woodrow.

Mr. Mader, representative from Taylor Woodrow, thanked City staff for the opportunity to work on this project over the last two years and stated Taylor Woodrow is ready to move to the next step and discuss height limits with the Planning Commission. Mr. Mader stated his company urges Council to approve the General Plan Amendment.

Councilmember Swegles confirmed with Mr. Mader that reducing the height limit on their buildings to 35 feet it would be problematic for their project.

Councilmember Swegles asked Mr. Mader if his corporation had looked at alternatives to keep the entry points from going through the neighborhood. Mr. Mader stated they were given these entry points and they have been designing around them, but would definitely consider alternatives.

Mayor Lee inquired if AMD would consider leaving the western portion of the ITR area undeveloped as requested by Spansion. Mr. McCoy stated he had not spent time thinking about it and has no comment on that request. Mr. Morely stated the Riding Group does not have any comments on that area.

Public hearing closed 9:55 p.m.

Councilmember Hamilton confirmed with Planning Officer Ryan that the height limit for R-3 zoning district can go to 30 feet unless it is a townhouse style development, and then it can go to 35 feet.

Councilmember Hamilton requested staff comment on the traffic impacts to Duane Court. Senior Transportation Planner Dieckmann Cogill stated the capacity impact to that area and the streets north of that area were studied and the analysis showed no transportation impacts. Planning Officer Ryan added that when industrial is changed to residential, the peak hour traffic is not significantly different.

MOTION: Councilmember Hamilton moved and Mayor Lee seconded to approve Alternative Number 3: Includes all the actions as listed in Alternative Number 1, except that direction may be provided to adopt other appropriate residential densities:

Council supports a 130-acre General Plan Amendment area with densities reduced from those proposed by the applicant:

(a) Certify the Environmental Impact Report and adopt the Statement of Overriding Consideration;

(b) Make the required General Plan Amendment and Rezoning Findings;

(c) Adopt the Resolution Amending the General Plan from Industry to Industrial-to-Residential (ITR) with a mix of residential densities as 18.62 acres of high-density residential, 39.24 acres of medium-density residential, and 51.1 acres of low-medium density residential ;

(d) Reserve approximately 10.13 acres for parks and open space unless additional environmental review is conducted for residential use;

(e) Designate approximately 9.57 acres to remain designated as General Plan General Business for future commercial use;

(f) Adopt an Ordinance approving a rezoning from M-S (Industrial and Service) to M-S/ITR/R-4 (High Density Residential), M-S/ITR/R-3 (Medium-density Residential) and M-S/ITR/R-1.7/PD (Low-medium Density Residential) not to exceed a residential unit count of 2,842 without additional environmental review, and C-2 Highway Business;

(g) Direct staff to prepare a land plan to determine needs and locations for public parks, streets and neighborhood streetscape enhancements including the following specific requirements added by the Planning Commission on February 12, 2007:

- Include an east-west pedestrian connection with connection to retail and open space areas;
- Establish a neighborhood-scale street grid with the land plan;
- Provide safe crossings for pedestrians on Duane, Stewart and Xavier near the east end of the area; and
- Explore the inclusion of one to six acres of mixed-use development within the study area.

(h) Direct staff to place the available FAR from the industrial sites in the study area into the industrial development pool as it incrementally becomes available through the conversion of parcels in the study area from industrial to residential;

Section i-o added by Planning Commission on February 12, 2007

(i) Study the extension of reclaimed water further into the City, with a particular review of installing reclaimed water lines at the same time that streets may be open for other utility construction;

(j) Require new residential development to observe a minimum 100-foot separation between existing adjacent industrial buildings and new residential buildings. Allow the Planning Commission to approve exceptions to this separation requirement if circumstances would address noise, odor and

hazardous materials issues;

(k) Study requirements for renewable energy use for this area;

(l) Refer the removal of existing artwork to the Arts Commission;

(m) Require height in R-4 areas to maintain no more than three stories (35 feet) when adjacent to (including across the street from) single-family residential development;

(n) Study the ability to encourage energy production and energy efficiency within new residential projects as part of the current study issues on LEED and solar energy;

(o) Encourage the inclusion of fiber optics and access to high-speed Internet in new residential development; and

(p) Direct preparation of a potential study issue to add BMR requirements to single-family zoning districts, for Council's selection and ranking in December 2007.

with the following modifications:

- Modify General Plan designation to medium-density residential (R-3) for the K-shaped parcel, parcel directly below it, AMD parcels and the parcel fronting Lawrence excluding all other parcels from the 130 acres
- Change 1(d) to a reduced proportional amount of acreage for parks and open space
- Delete 1(e) related to designating property for retail/commercial use.

Councilmember Chu offered a friendly amendment to include the retail parcels as an eventual conversion.

Friendly amendment accepted.

Councilmember Moylan offered a friendly amendment to delete 1(h) related to placing floor area in the Citywide industrial development pool.

Friendly amendment accepted.

Mayor Lee offered a friendly amendment to include the residential General Plan amendment for the parcel fronting Lawrence and determine its density designation in a separate motion.

Friendly amendment accepted.

Councilmember Howe offered friendly amendments:

- Determine status of 1(h) (industrial FAR) by a separate motion.
- 1(m) If there is an R-4, include landscaping requirements to reduce impact of the

R-4 on single-family homes with final landscaping plans to be approved by Planning Commission.

- 1(j) consider the 100-foot set backs between industrial and residential buildings, have the Planning Officer establish appropriate set backs and establishment would require a public hearing at a Planning Commission meeting.

Friendly amendments accepted.

Councilmember Howe indicated he will sponsor a study issue to add BMR requirements to single-family zoning districts, for Council's selection and ranking in December 2007 (Item (p) as listed in Alternative No. 1).

Councilmember Moylan stated he is in favor of all of Alternative Number 1 except Item (h). The motion is a piecemeal affect and to put housing only on Lawrence Expressway and the green parcels does not allow enough housing. Councilmember Moylan stated he is against the exclusion of certain parcels and the reduction in the park size.

Councilmember Chu stated he will also oppose the motion for the reasons stated by Councilmember Moylan regarding the exclusion of certain parcels and the reduction in the park size. However, he believes the motion should include item (h).

VOTE: 4-3 (Councilmembers Moylan, Swegles and Chu dissented)

MOTION: Councilmember Howe moved and Vice Mayor Spitaleri seconded to designate the General Plan and zoning for the parcel fronting Lawrence as high-density/ R-4 noting that provision 1(m) pertaining to height and landscaping would address compatibility with adjacent residential.

Councilmember Chu offered a friendly amendment to direct staff to work with the developer to encourage a different location for the egress and ingress to reduce impact on Duane Court (such as move traffic from residential street to a collector street). Friendly amendment accepted.

Councilmember Hamilton offered a friendly amendment to direct staff to stay in touch with the neighborhood regarding traffic calming issues and to follow up a year after construction is completed. Friendly amendment accepted.

Councilmember Hamilton stated she opposed the motion due to placing R-4 zoning next to R-0 and the incompatibly issues with height that zoning change will create. She stated the density is too high for this area as well.

VOTE: 6-1 (Councilmember Hamilton dissented)

MOTION: Councilmember Chu moved and Councilmember Swegles seconded to include Item 1(h): Direct staff to place the available FAR from the industrial sites in the study area into the industrial development pool as it incrementally becomes available through the conversion of parcels in the study area from industrial to residential.

Councilmember Moylan stated the City is not at risk of running out of industrial space and is in need of housing. Continuing to increase industrial space is not sustainable when housing is so desperately need in the City.

VOTE: 5-2 (Councilmembers Moylan and Hamilton dissented)

MOTION: Councilmember Chu moved and Councilmember Moylan seconded to continue Public Hearing/General Business Item Number 7 (RTC 07-076) City Council Campaign Contribution Limits and Spending Limits; Public Funding of Campaigns (Study Issue) to the Council Meeting of March 6, 2007, with the understanding that the Item will be number two on the Public Hearing/General Business portion of the agenda.

VOTE: 7-0

Mayor Lee called a five-minute recess at 11 p.m. and reconvened the meeting at 11:05 p.m.



Hexagon Transportation
Consultants, Inc.

10 Sany Street, Suite 200
San Jose, California 95133
Phone: (408) 871-0100 Fax: (408) 871-6103

OPTION B
DUANE AVENUE AND DUANE COURT
CITY OF SUNNYVALE

ATTACHMENT D
Page 1 of 1

DESIGNED BY: R. GARCIA

DATE: 3/12/07

Duane Court

for

Sunnyvale, CA

Taylor-Woodrow Homes, Inc.

3000 Executive Parkway, Suite 100
San Ramon, CA 94583
(925) 659-0100

Schematic Design

Sheet Index



Vicinity Map

- | | |
|------|---|
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Duane Court

Sunnyvale, CA

Taylor-Woodrow Homes, Inc.

ATTACHMENT E
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March 12, 2007

Project Summary

	PROPOSED PROJECT	REQUIRED/PERMITTED
General Plan Category	RR	RR
Zoning District	R-3	RL-4
Lot Size (ac)	7.3 Acres (310,099 sq ft)	
Gross Floor Area (sq ft)	614,040 (includes parking)	
No. of Units	304	304
Density (units/acre)	42	42
No. of Bedrooms / Units	1 2 3 4	
Unit Sizes	600-200 (1100-1225) 1350-1500 1750-1660	
Lockable Storage (sq ft) (sq ft)	300	300
Lot Coverage (%)	42%	40%
Floor Area Ratio (FAR)	1.93	N/A
No. of Buildings On-Site	14 = Rnc Bldg	
Distance Between Buildings (ft)	12' min. (5' to 3' to side)	
Building Height (ft)	35' / 57'	35' / 57'
No. of Stories	2 / 3 / 5	
Setbacks (ft)		
• Front (West)	10'-2" Average	20'-0"
• Left Side (South)	10'-7" Average	23'-0" Combined
• Right Side (North)	10'-5" Average	
• Rear (East)	20'-0"	20'-0"

Unit Mix

FLATE	% MIX	PLAN	BEDROOMS	BATHS	SQ. FT.	# OF UNITS	TOTAL SQ. FT.
23% A1	1	1	1	1	700	54	37800
2% A2	1	1.5	1	1.5	800	4	3200
50% B1	2	2	2	2	1100	110	122000
16% B2	2	2	2	2	1225	37	45325
10% C	3	2.5	3	2.5	1350	23	31050
TOTAL						236	241575
TOWNHOMES							
5 Accessible TH1	3	2.5	3	2.5	1500	5	7500
TH2	4	3	4	3	1750	30	52500
2 Accessible TH3	4	3	4	3	1650	33	54450
TOTAL						68	124350
TOTAL						304	371325

Storage Summary

STORAGE REQUIRED			300 sq. ft. per Unit		
STORAGE PROVIDED					
UNIT PLAN	# OF UNITS	# BEDS	STORAGE (sq. ft.)		
			Wsp. Stor.	Gar. Unit	TOTAL
A1	54	1	100.6	232	300
A2	4	1	102.6	232	300
B1	110	2	121.5	100	121
B2	37	2	121.5	100	70
C	23	3	132.6	170	200

Parking Summary

PARKING REQUIRED	
PODIUM BUILDING	
# Bedrooms	1
Parking Req. (sq. ft.)	1.3
# Units Required	63
	2
	2
	152
	304
	3
	2
	18
	36
TOTAL	236
TOWNHOUSES	
# Bedrooms	3
Parking Req. (sq. ft.)	2.5
# Units Required	5
	12.5
	4
	2.6
	103
	100.95
TOTAL	6
	176.45
PARKING PROVIDED	
PODIUM BUILDING	
P1 Garages	106
P2 Garages	123
	430 Total
TOWNHOUSES	
2-Car Garages	136 assigned
	48 undesignated
	180 Total

614 Total

Open Space Summary

OPEN SPACE REQUIRED	(3365 SUFF.)	115528
OPEN SPACE PROVIDED		
COMMON OPEN SPACE		
Village Green & Club House		30871
Green Pockets		42475
Podium Courtyards		13550
Total		96896
PRIVATE OPEN SPACE		
Condo	(100 sq. ft. / unit)	10860
Townhouse	(100 sq. ft. / unit)	5430
Total		24390
TOTAL OPEN SPACE		117016
LANDSCAPE REQUIRED	(3750 SUFF.)	114000
LANDSCAPE PROVIDED		
Frontage Strip		23826
Village Green		30871
Green Pockets		42475
Podium Courtyards		13550
Miscellaneous Landscaping Strips		1000
Total		111722

Lot Coverage

Building Footprint	133,560 SF
Site Area	310,099 SF
Coverage	42%

Project Summary

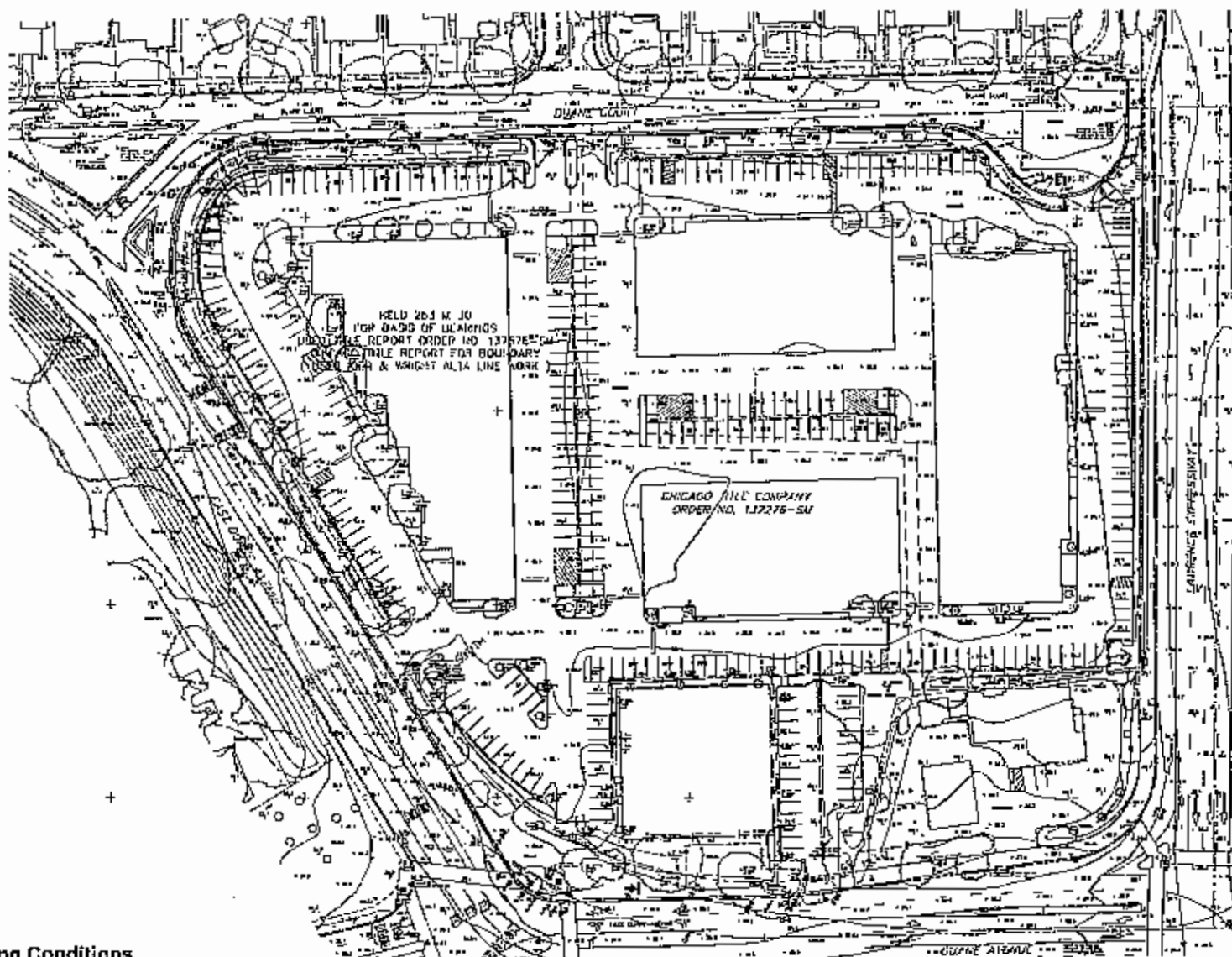
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Sunnyvale, CA

Taylor-Woodrow Homes, Inc.



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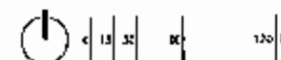


Existing Conditions

Duane Court

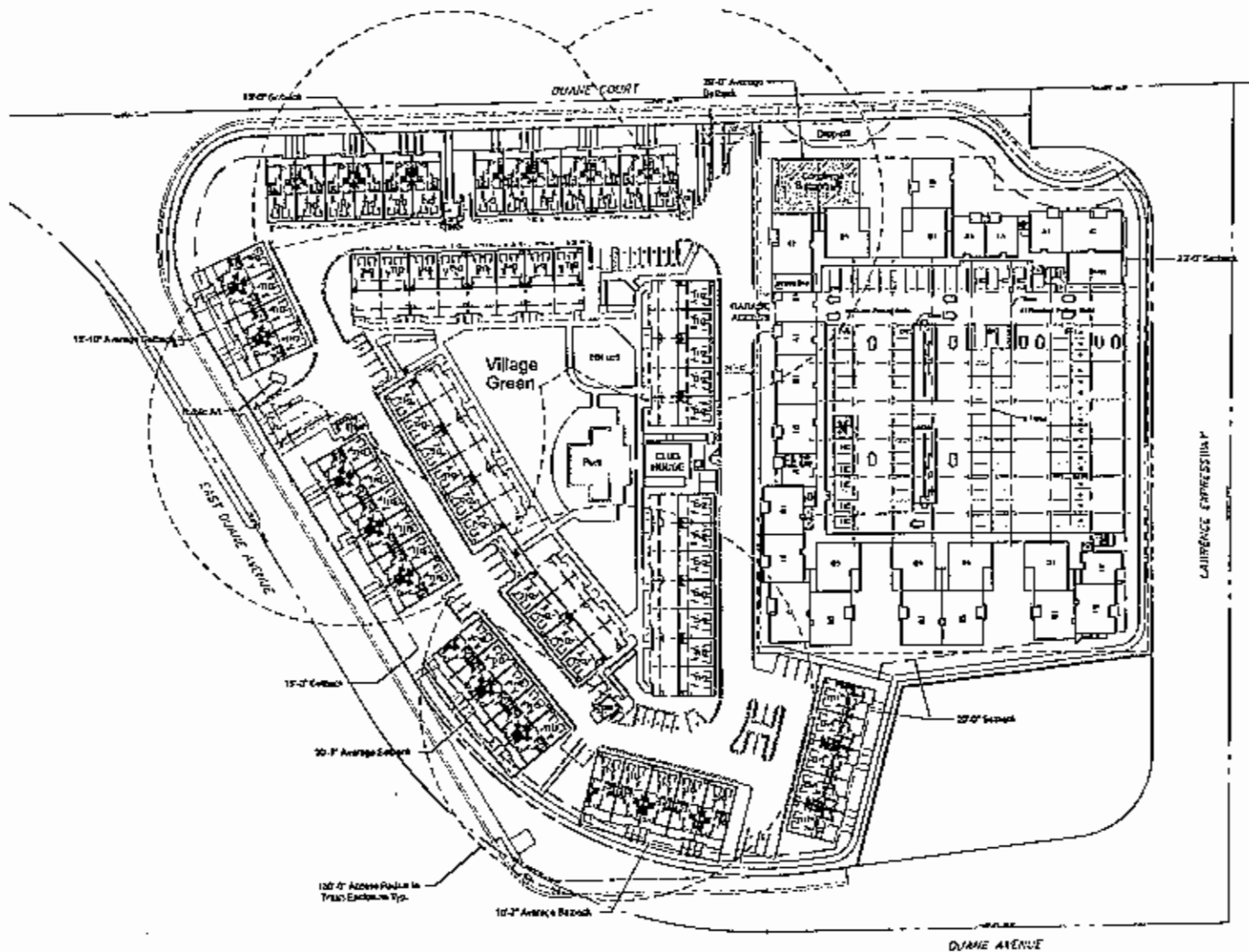
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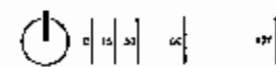


Site Plan

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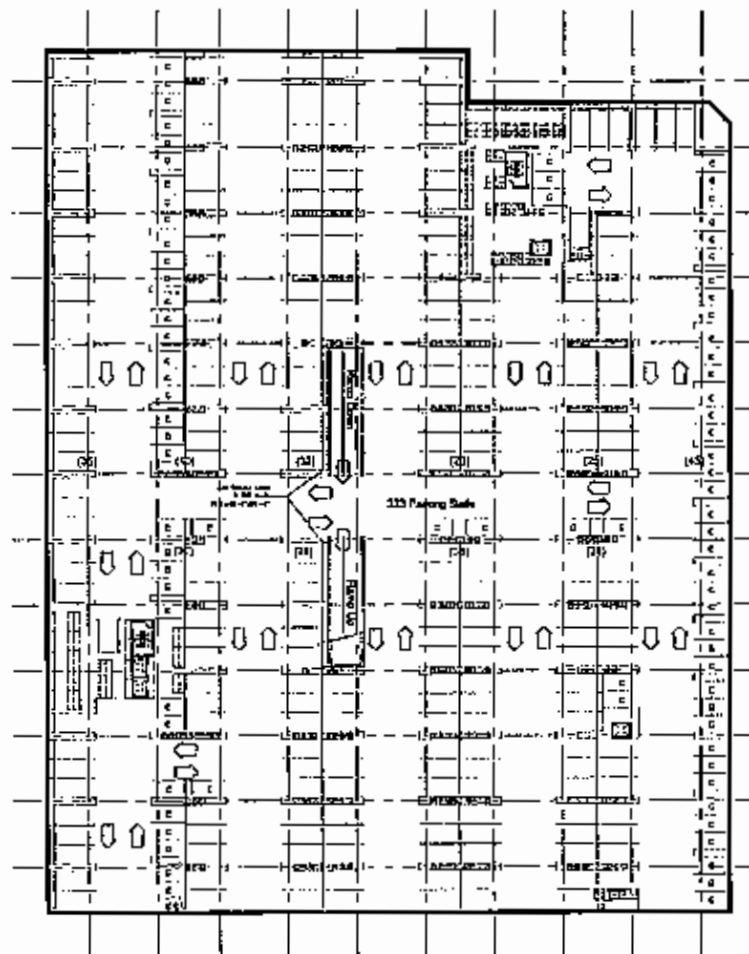
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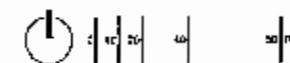


Podium Building - P1 Level Plan

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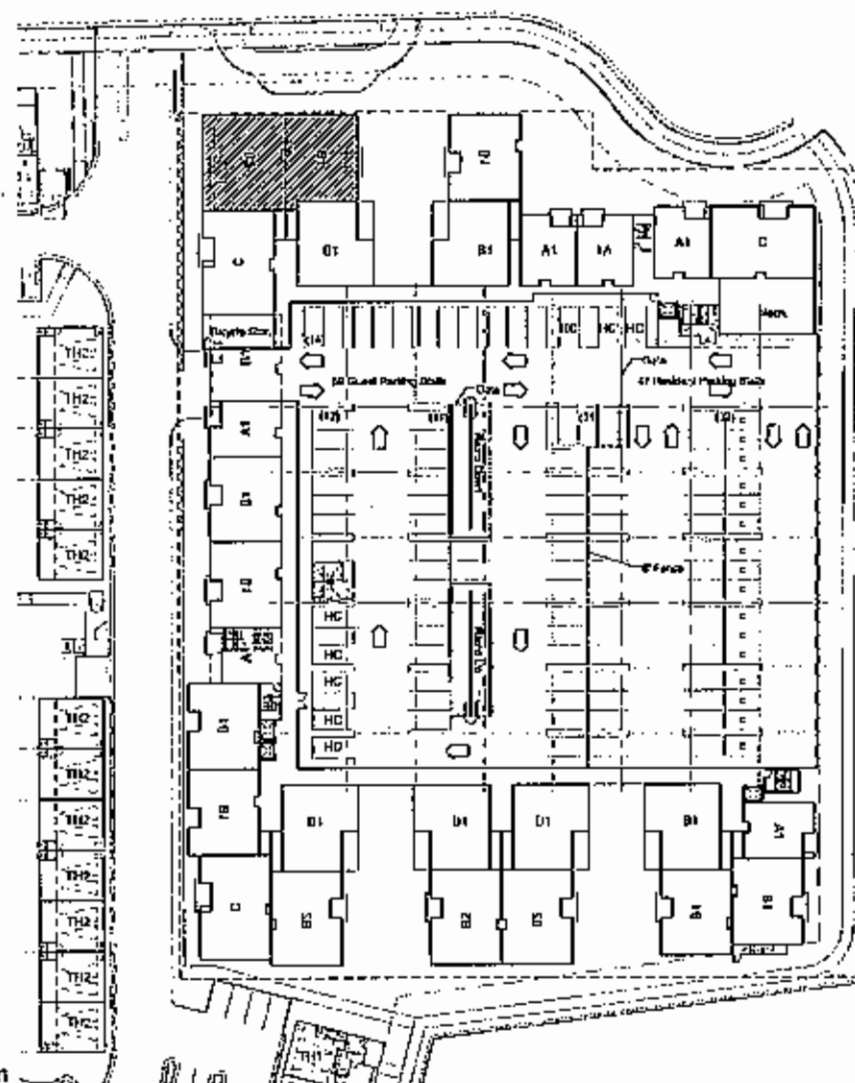
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Podium Building - First Level Plan

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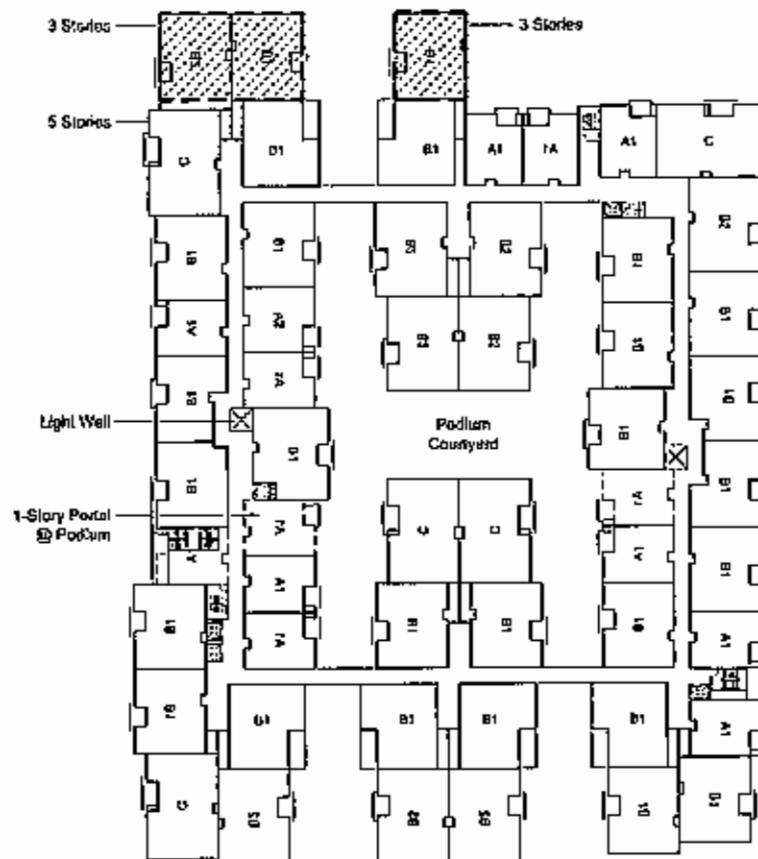
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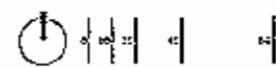


Podium Building - Typical Plan

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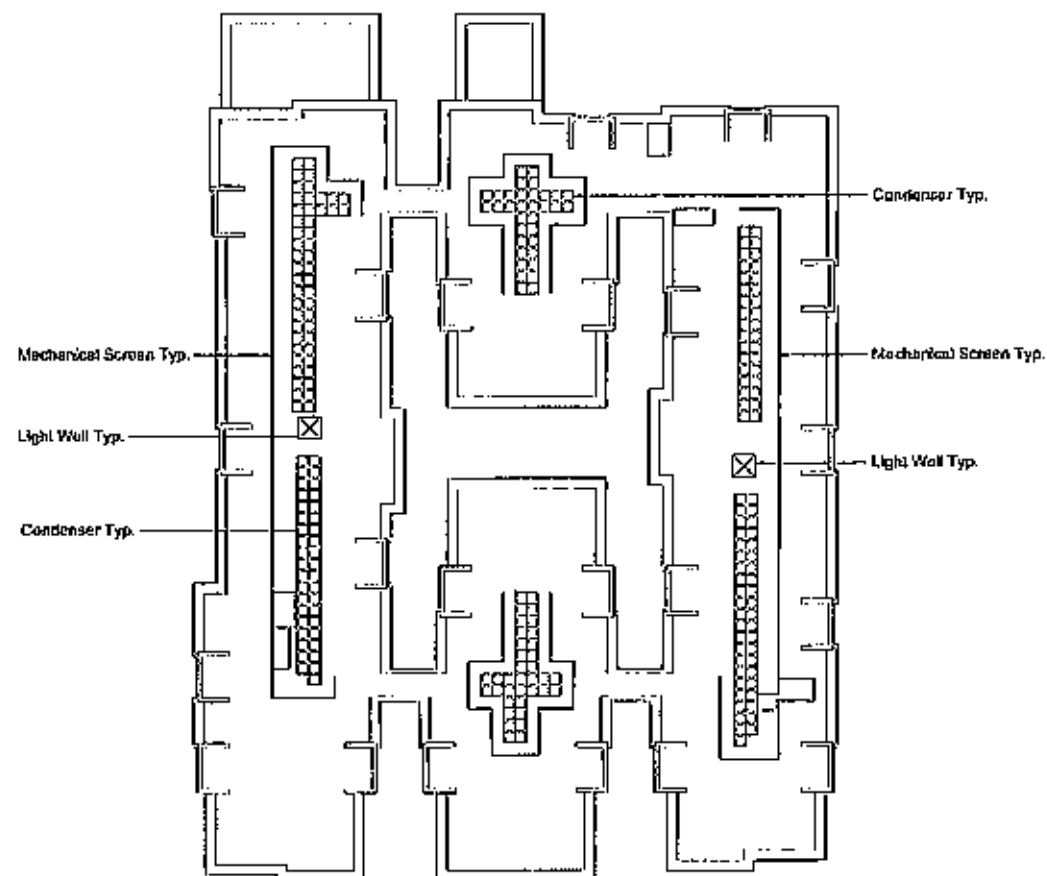
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Podium Building - Roof Plan

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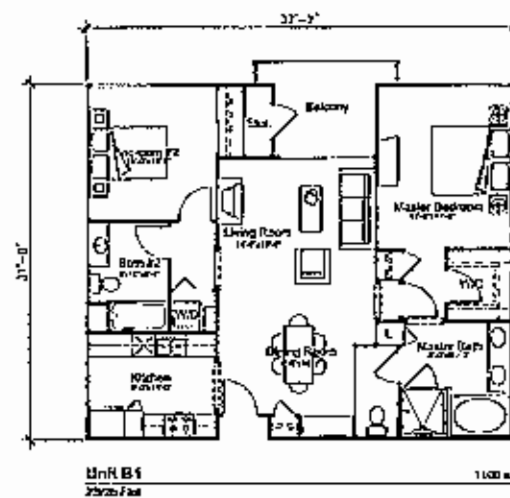
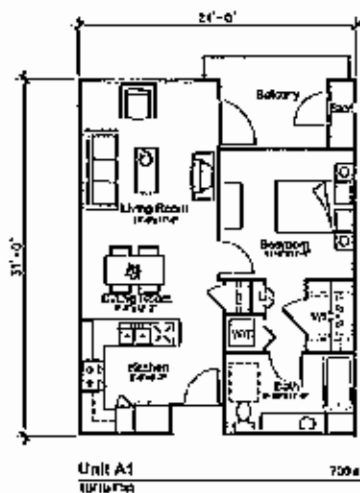
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Podium Building - Typical Unit Plans

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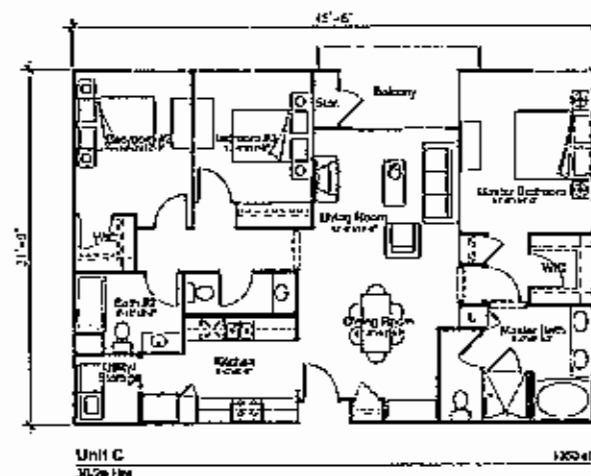
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Podium Building - Typical Unit Plan

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North Elevation



West Elevation

Podium Building - Elevations

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South Elevation



East Elevation

11



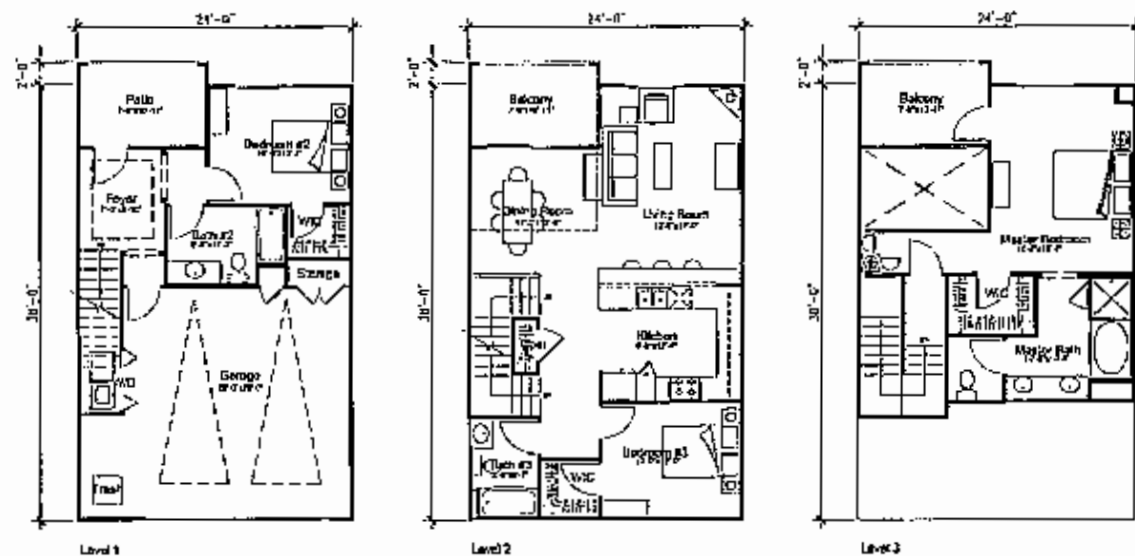
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TH1
38/22.5 Townhouse

12

Townhouse 1 - Unit Plans

Duane Court

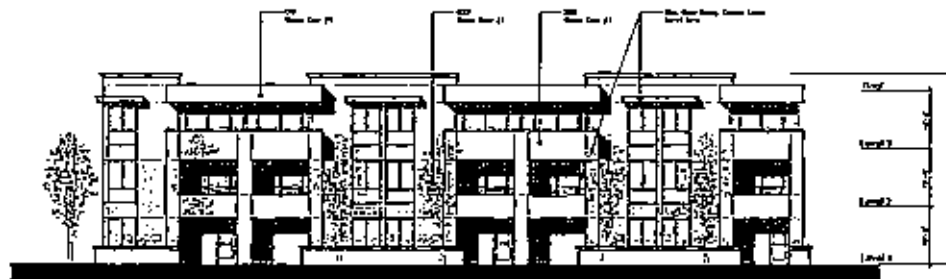
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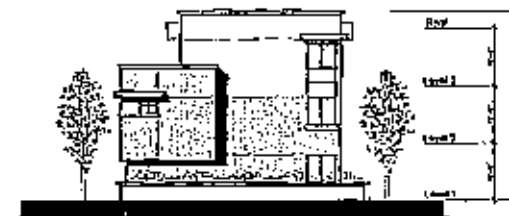
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

Townhouse 1 - Elevations

Duane Court

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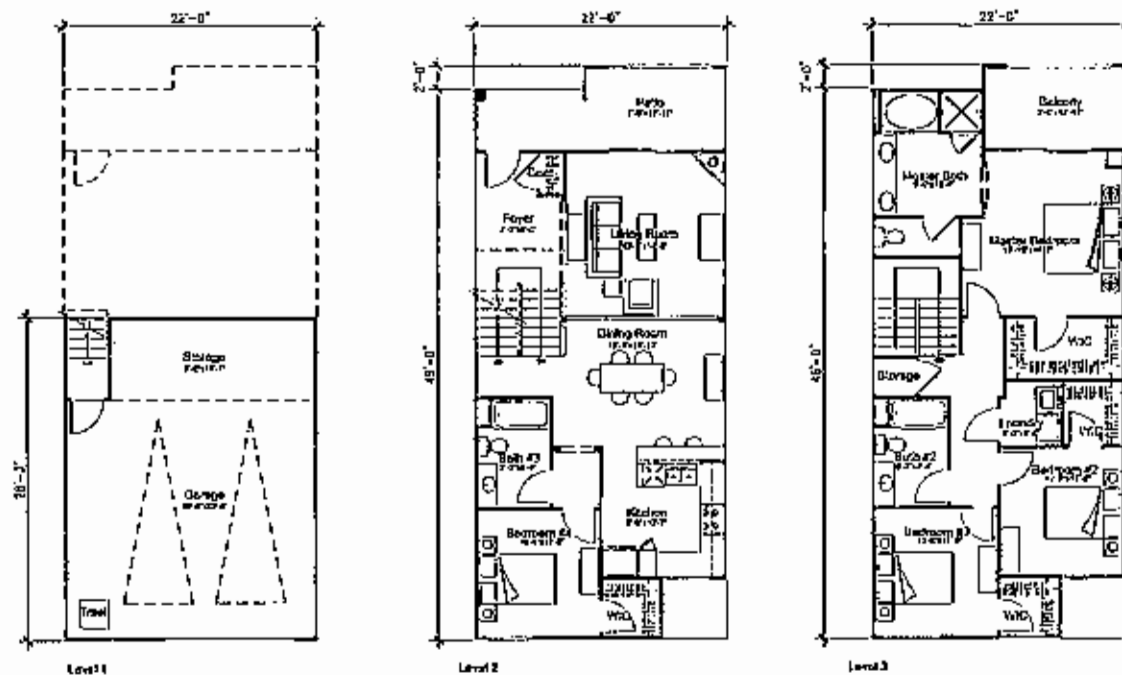
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TM2
4835 Townhouse

14



Townhouse 2 - Unit Plans

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10/11

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Front Elevation

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Townhouse 2 - Elevations

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15





Rear Elevation



Side Elevation

16

Townhouse 2 - Elevations

Duane Court

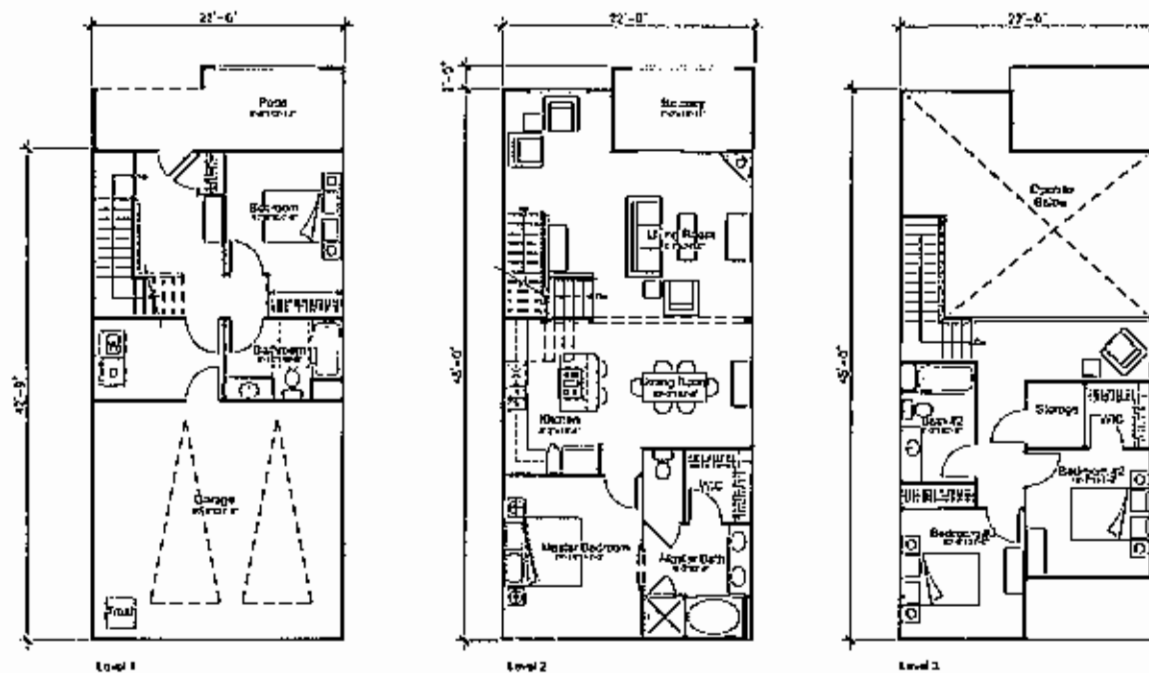
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TH3
48/36 Townhouse 1050 M

17



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Townhouse 3 - Unit Plans

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Front Elevation



Rear Elevation



Side Elevation

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Townhouse 3 - Elevations

Duane Court

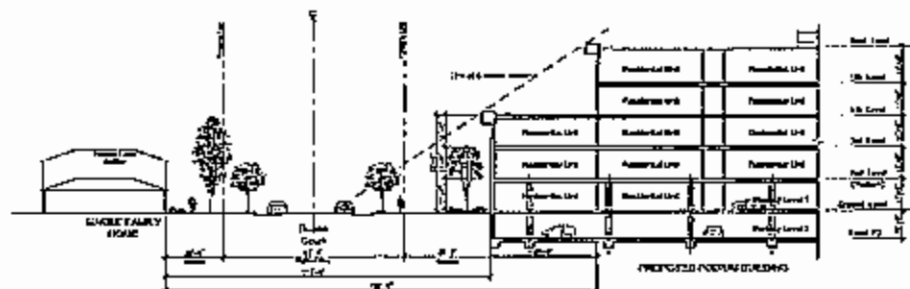
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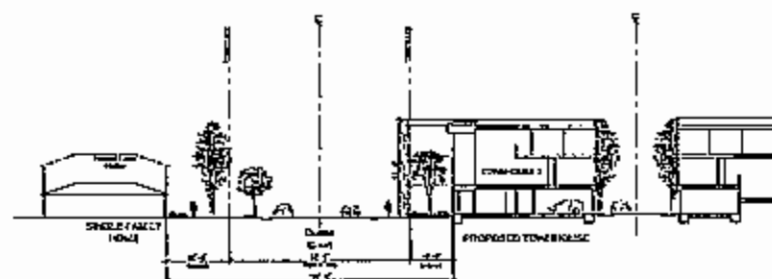


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March 12, 2007



SITE SECTION A
(Looking East along Duane Court through Podium Building)



SITE SECTION B
(Looking East along Duane Court through Townhouse Building)

Street Sections

Duane Court

Sunnyvale, CA

Taylor-Woodrow Homes, Inc.

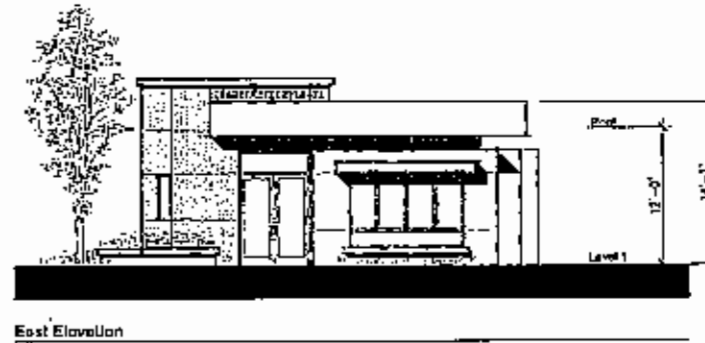
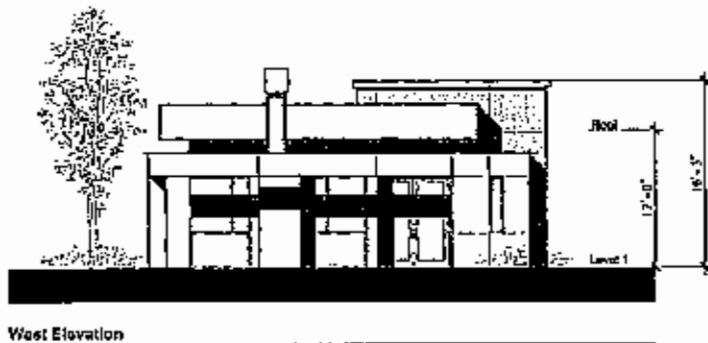
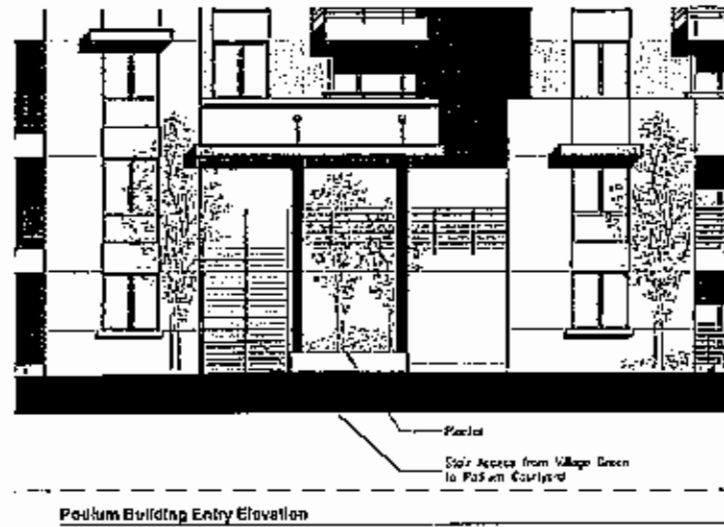
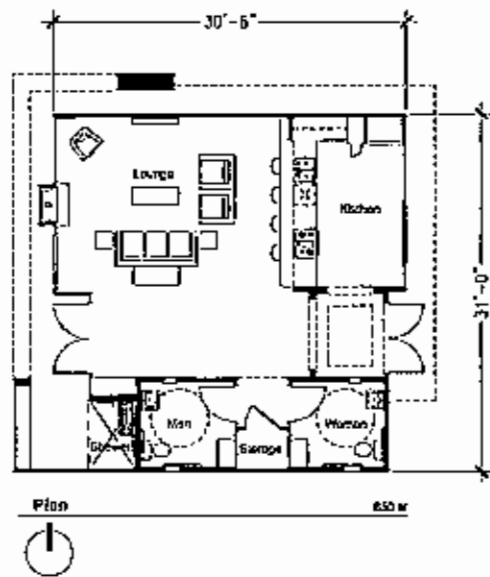
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March 12, 2007

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Club House & Podium Building Entry

Duane Court

Sunnyvale, CA

Taylor-Woodrow Homes, Inc.

ARCHITECTS

TOGAWA
SMITH
MARTIN

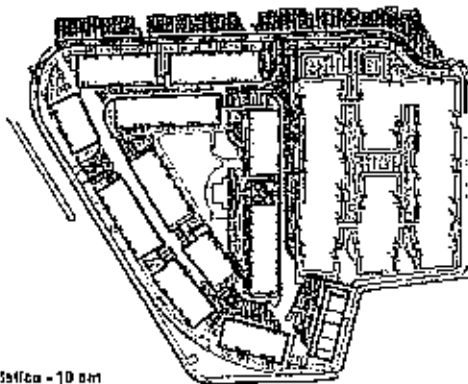
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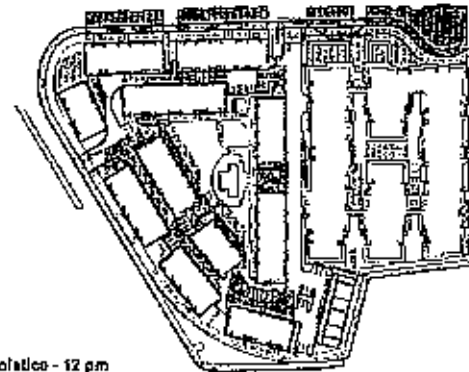
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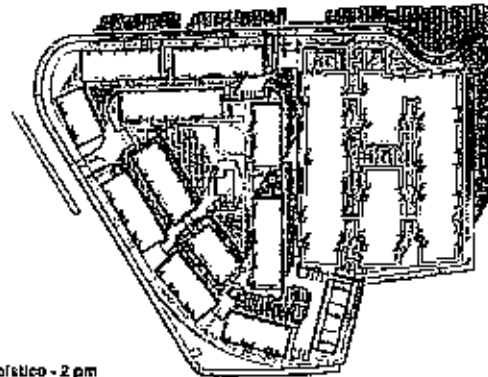
20



Winter Solstice - 10 am



Winter Solstice - 12 pm



Winter Solstice - 2 pm

Shadow Study

Duane Court

Sunnyvale, CA

Taylor-Woodrow Homes, Inc.

ATTACHMENT E
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March 12, 2007

TYPICAL PLANT PALETTE

PLANT	ARTIST'S RENDERING	COMMON NAME
1. Tree	1. Tree	1. Tree
2. Tree	2. Tree	2. Tree
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ILLUSTRATIVE SITE PLAN DUANE COURT SUNNYVALE, CALIFORNIA

Developer
TAYLOR WOODROW HOMES
1300 EXCULCUTING PARKWAY, SUITE 100
SUNNYVALE, CALIFORNIA 94085
(510) 435-1100

Lead Planner / Landscape Architect
Taylor Woodrow Homes Inc.
1300 EXCULCUTING PARKWAY, SUITE 100
SUNNYVALE, CALIFORNIA 94085
(510) 435-1100

DATE: March 12, 2007



SCALE IN FEET
0 20 40 60 80 100
L-1

PLA	name (in English)	English description
PL 10		
10.1	name is last name	last names first
10.2	last name	last name
10.3	first name	first name
10.4	middle name	middle name
10.5	full name	full name
10.6	name is last name	last names first
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BLANCH



64110



06 APR 2017



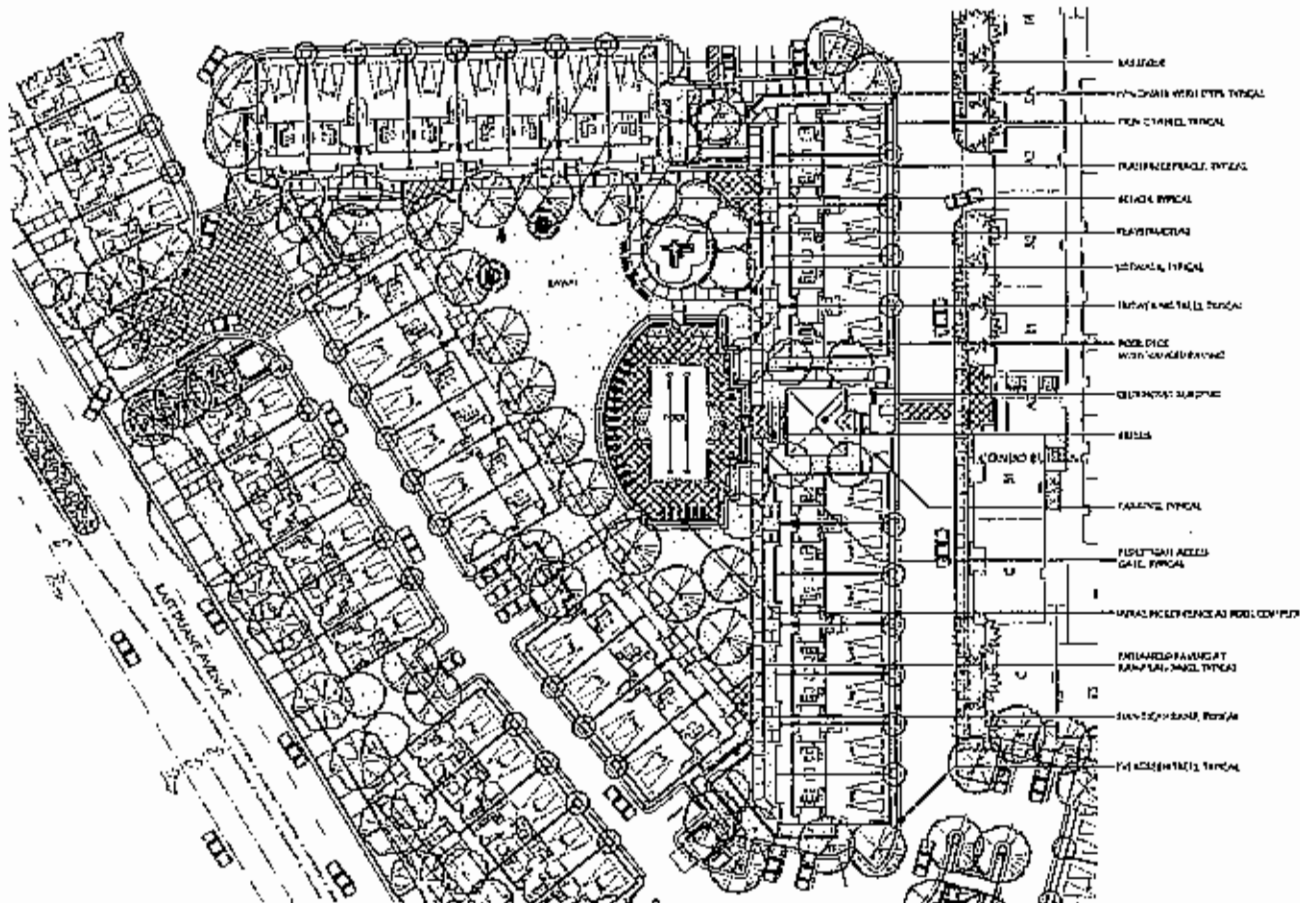
महाराष्ट्र



PCZ PC 4MI



एकदम ही अचानक



VILLAGE GREEN
DUANE COURT
SUNNYVALE, CALIFORNIA

Developer
TAYLOR WOODROW HOMES
JUDGECUTIVE PARKWAY, SUITE 100
SANTA ANA, CALIFORNIA 92705
(714) 948-0601

Wolf Püchner / Landscape Architect



DATE: March 12, 2007

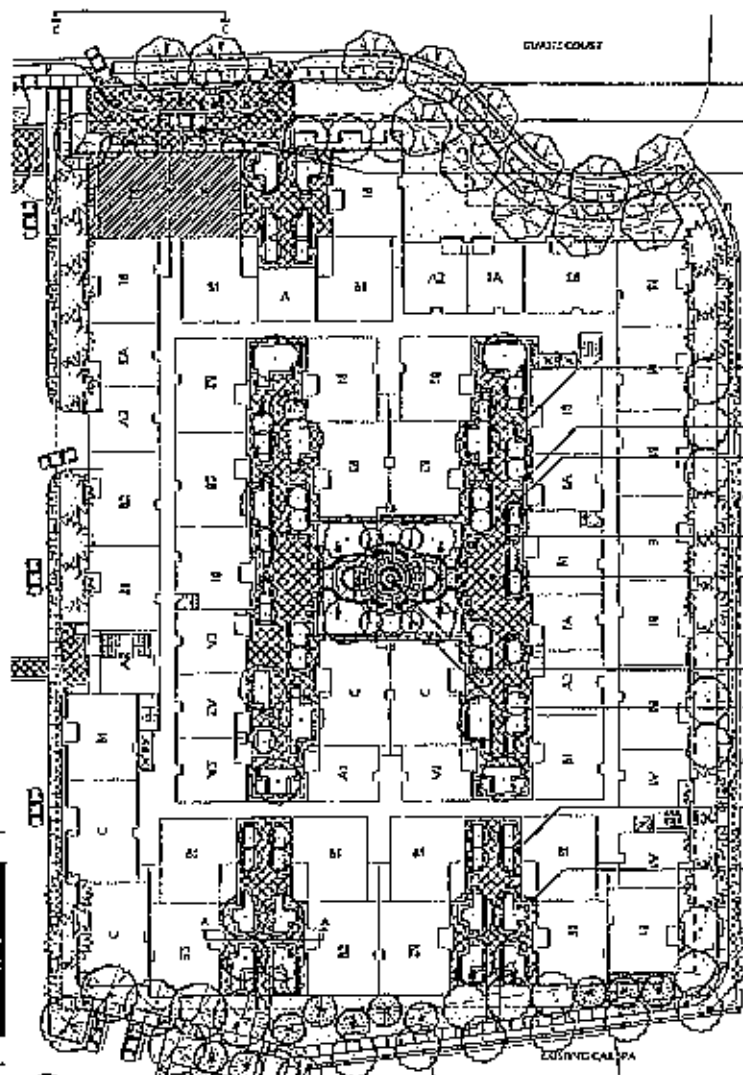


SCALE IN FEET



L-2

ATTACHMENT E
Page 24 of 33

[illegible]

1. **THESE ARE THE QUESTIONS**
2. **THESE ARE THE ANSWERS**
3. **THESE ARE THE QUESTIONS**
4. **THESE ARE THE ANSWERS**

5. DO YOU OR ANYONE ELSE IN YOUR FIRM:

— www.plantecology.com, N. P. C.

— FLOWING STATE SYSTEM

— JUTAL PARSETTILJÄL, ILMOIJA

— PLATE 108.

— FOR THE PURPOSES OF THE ACT —

→ **Discipline**

ROYAL TITHE

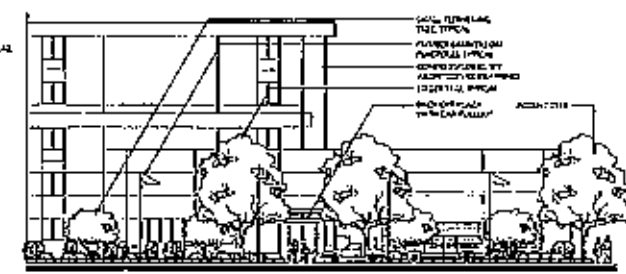
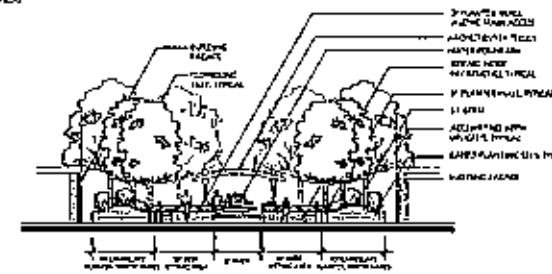
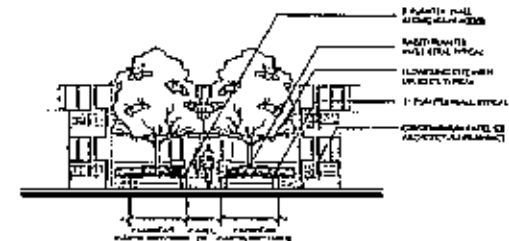
— **மதுரை மருத்துவம்**

— 2411 PFLANZEN

— **የፌዴራል ጋዜጣዊነት**

UNIT OF GRACE
LIVE-TRUTHFUL-AL

— RAIL ETHICS



CONDOMINIUM PLAZA ENTRY ELEVATION - 0
2016-11-19

Developer
TAYLOR WOODROW THOMES
1000 CANTUITE PARKWAY, SUITE 100
SAN RAMON, CALIFORNIA 94553
(925) 639-0021

Low Finance / Low Scope Architecture

McGraw-Hill Construction Information Group
 Construction Division, 1221 Avenue of the Americas
 New York, NY 10020-1396
 Tel: 212 512 2000
 Fax: 212 512 2090
 E-mail: mcgraw-hill@mcgraw-hill.com


ILLUSTRATIVE PODIUM PLAN
DUANE COURT
SUNNYVALE, CALIFORNIA

ATTACHMENT E
Page 25 of 33

DATE 6/12/2007



SCALE IN FEET

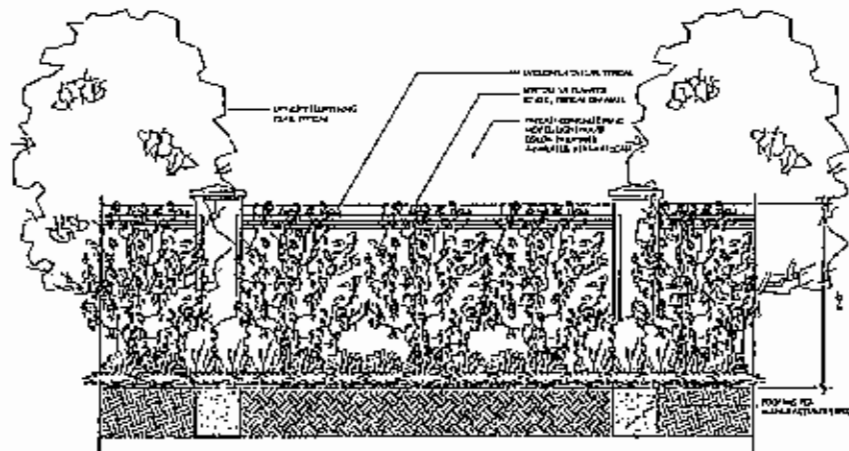


0 10 20 40 60

L-3



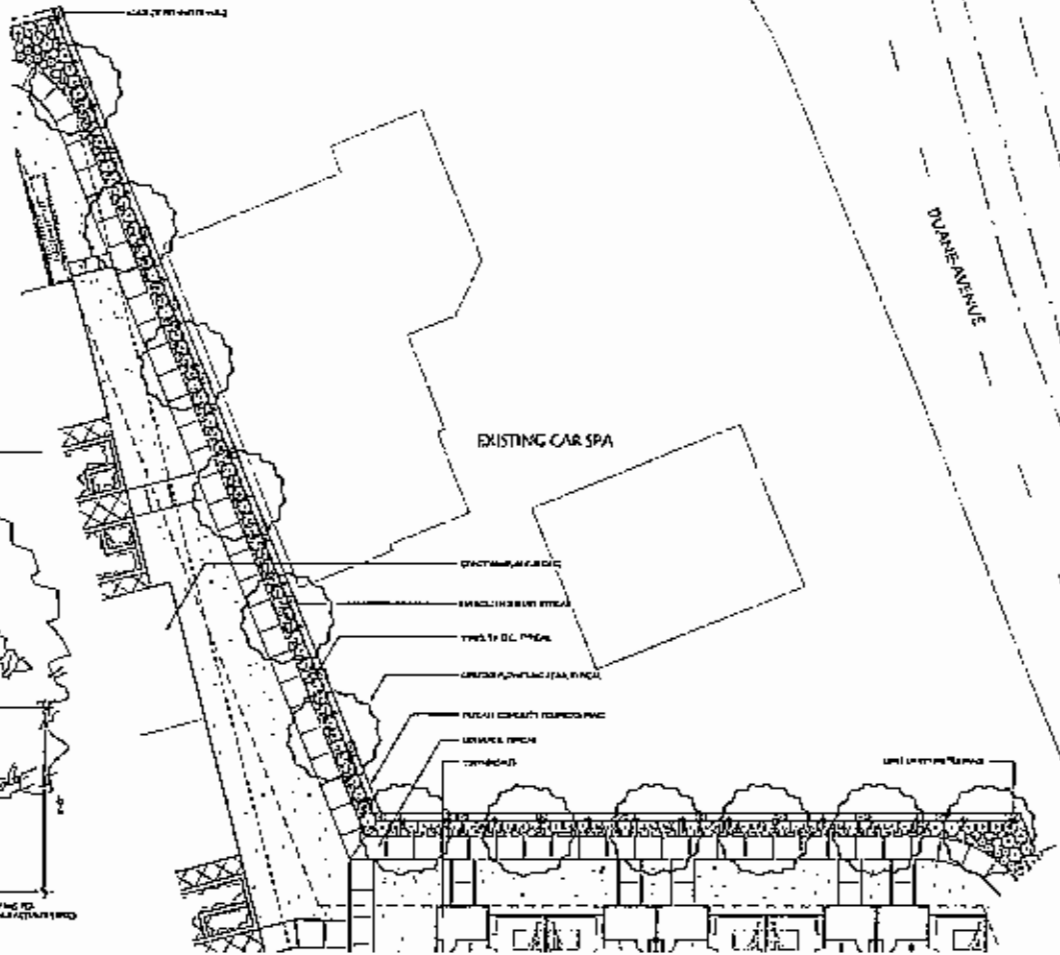
PERIMETER WALL
MODEL LOU BRIDGE
SECTION 10' ON WALL
AT 1/4" = 1' SCALE



PERIMETER WALL ELEVATION
1/4" = 1' SCALE

LAWRENCE
EXPRESSWAY

1/4" = 1' SCALE



PERIMETER WALL PLAN VIEW
1/4" = 1' SCALE

Developer
TAYLOR WOODSLOW HOMES
3000 EXECUTIVE PARKWAY, SUITE 100
SUNNYVALE, CALIFORNIA 95088
(415) 678-0100

Land Planner / Landscape Architect



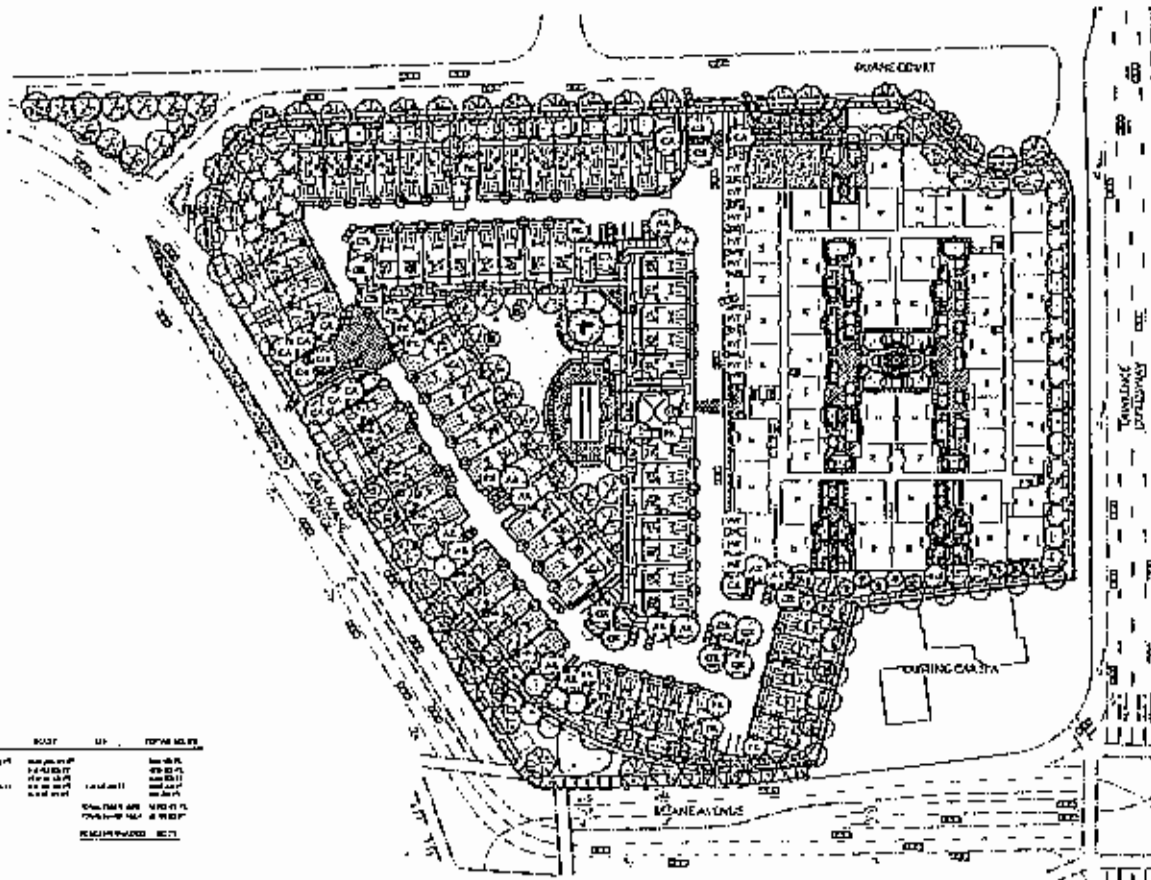
LANDSCAPE ARCHITECT
SUNNYVALE, CALIFORNIA
1/4" = 1' SCALE

PERIMETER WALL EXHIBIT DUANE COURT SUNNYVALE, CALIFORNIA

ATTACHMENT E
Page 24 of 33

DATE: April 12, 2007

L-4



WATER AREA CALCULATION TABLE

[illegible]

Developer
TAYLOR WOODROW HOMES
3000 EXECUTIVE PARKWAY, SUITE 100
SAN JOSE, CALIFORNIA 95128
(415) 894-0101

Land Owner / Landscape Architect

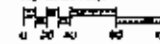


PARKING LOT SHADING PLAN
DUANE COURT
SUNNYVALE, CALIFORNIA

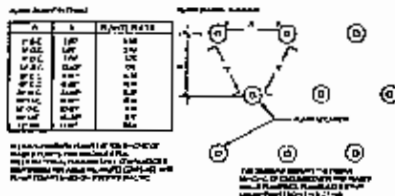
DATE Made 12, 2007



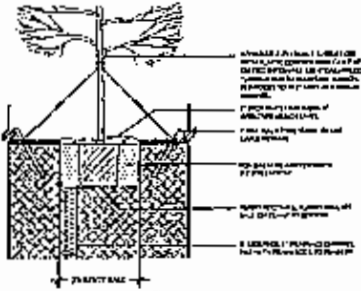
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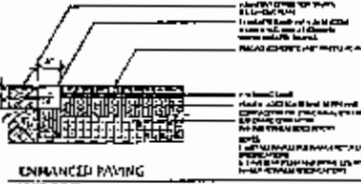
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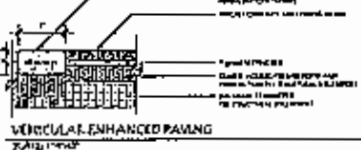
PLANT SPACING
SCALE: 1/8" = 1'-0"



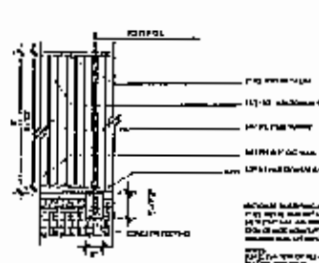
TREE GUARDING DETAIL (24" BOX AND LARGER)
SCALE: 1/8" = 1'-0"



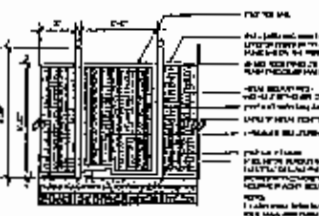
ENHANCED PAVING
SCALE: 1/8" = 1'-0"



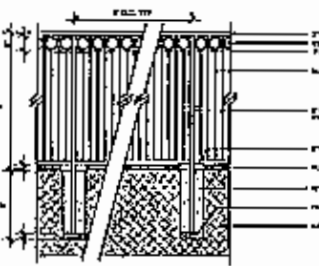
VEHICULAR ENHANCED PAVING
SCALE: 1/8" = 1'-0"



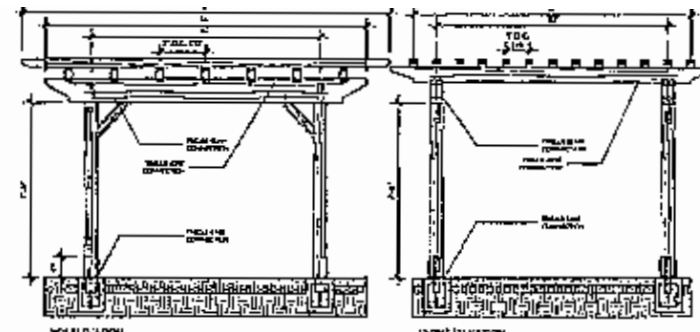
METAL PICKET FENCE (AT POOL)
SCALE: 1/8" = 1'-0"



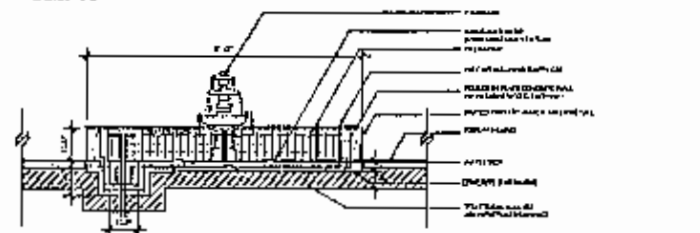
METAL PICKET GATE (AT POOL)
SCALE: 1/8" = 1'-0"



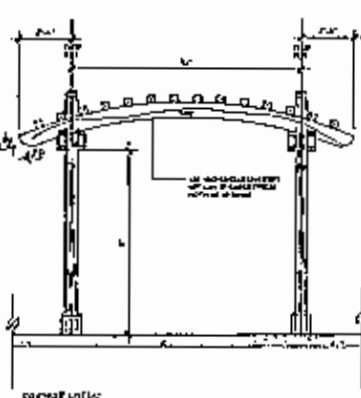
PERIMETER FENCE
SCALE: 1/8" = 1'-0"



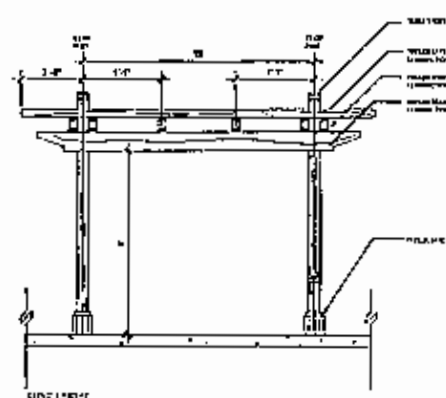
TRELLIS (AT POOL)
SCALE: 1/8" = 1'-0"



FOUNTAIN (AT POOL)
SCALE: 1/8" = 1'-0"



TRELLIS (AT POOL)
SCALE: 1/8" = 1'-0"



TRELLIS (AT POOL)
SCALE: 1/8" = 1'-0"

Developer:
TAYLOR WOODROW HOMES
2000 MOUNTAIN VIEW PARKWAY, SUITE 100
SAN RAFAEL, CALIFORNIA 94903
(925) 450-4100

Landscape Architect:
TAYLOR WOODROW HOMES
2000 MOUNTAIN VIEW PARKWAY, SUITE 100
SAN RAFAEL, CALIFORNIA 94903
(925) 450-4100

ILLUSTRATIVE DETAILS DUANE COURT SUNNYVALE, CALIFORNIA

ATTACHMENT E
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DATE: March 12, 2001
L-6



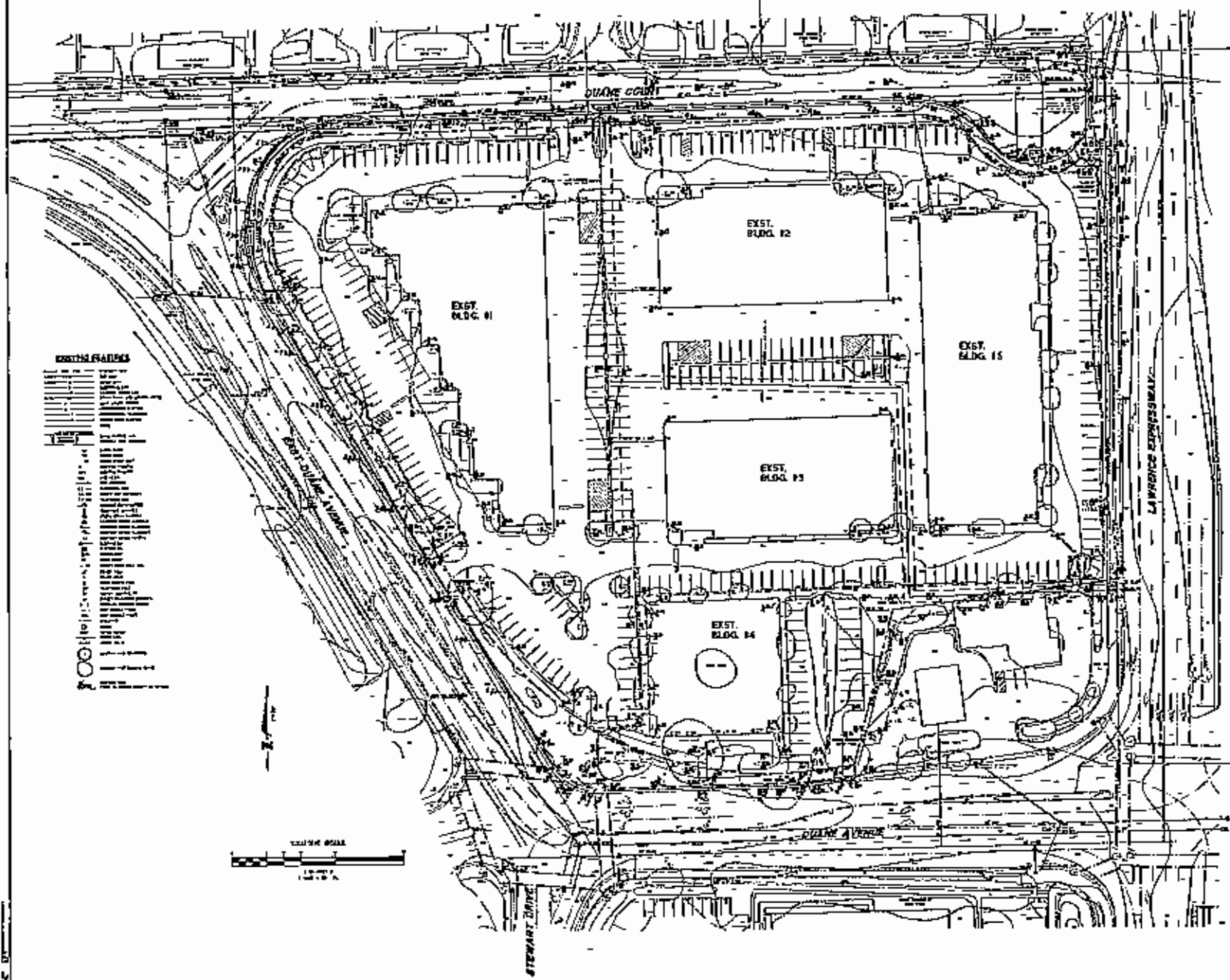
CLARKSON

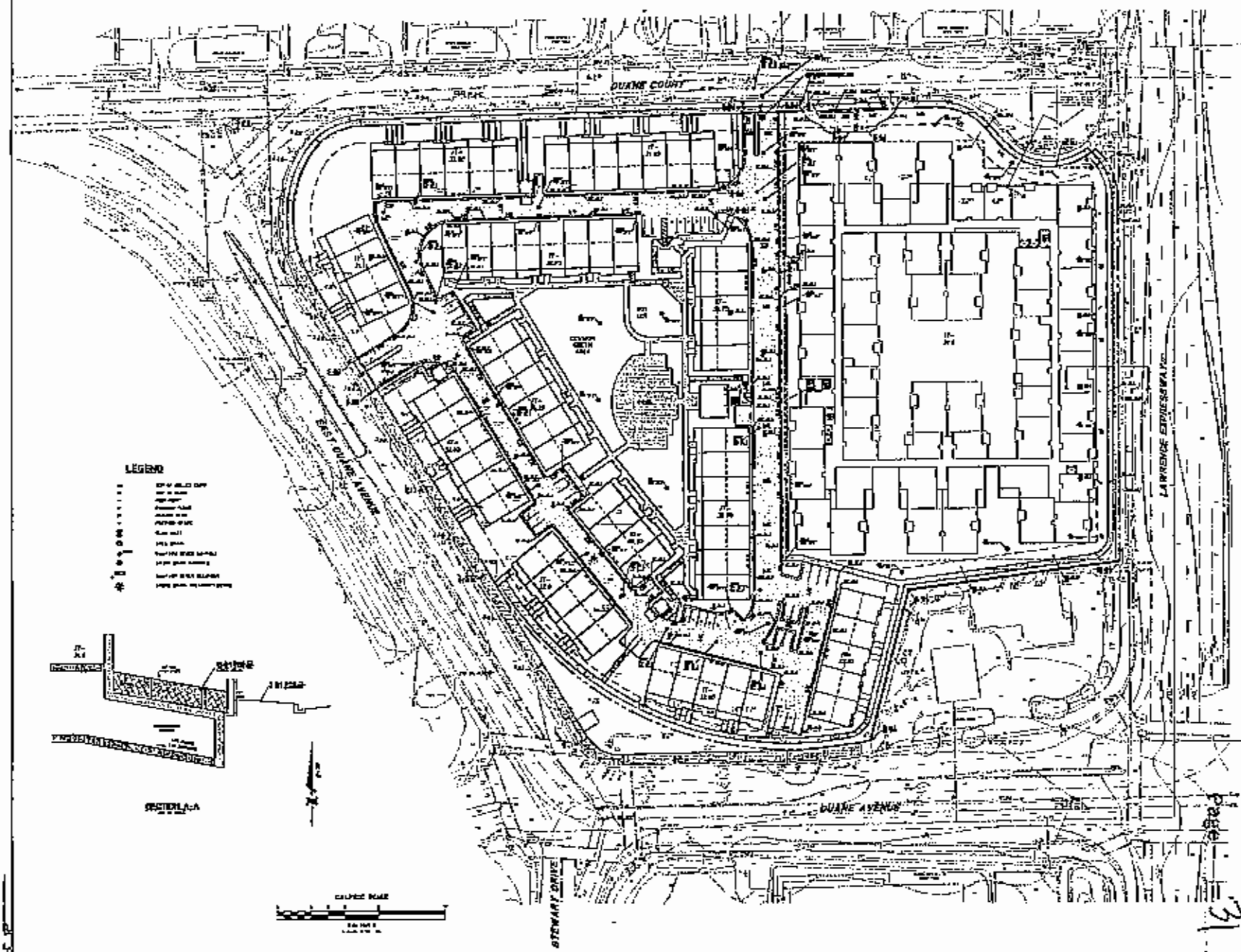
VESTING TENTATIVE CONDOMINIUM MAP
DUANE COURT
EXISTING CONDITIONS
JAN. 1, 1997

THOMAS

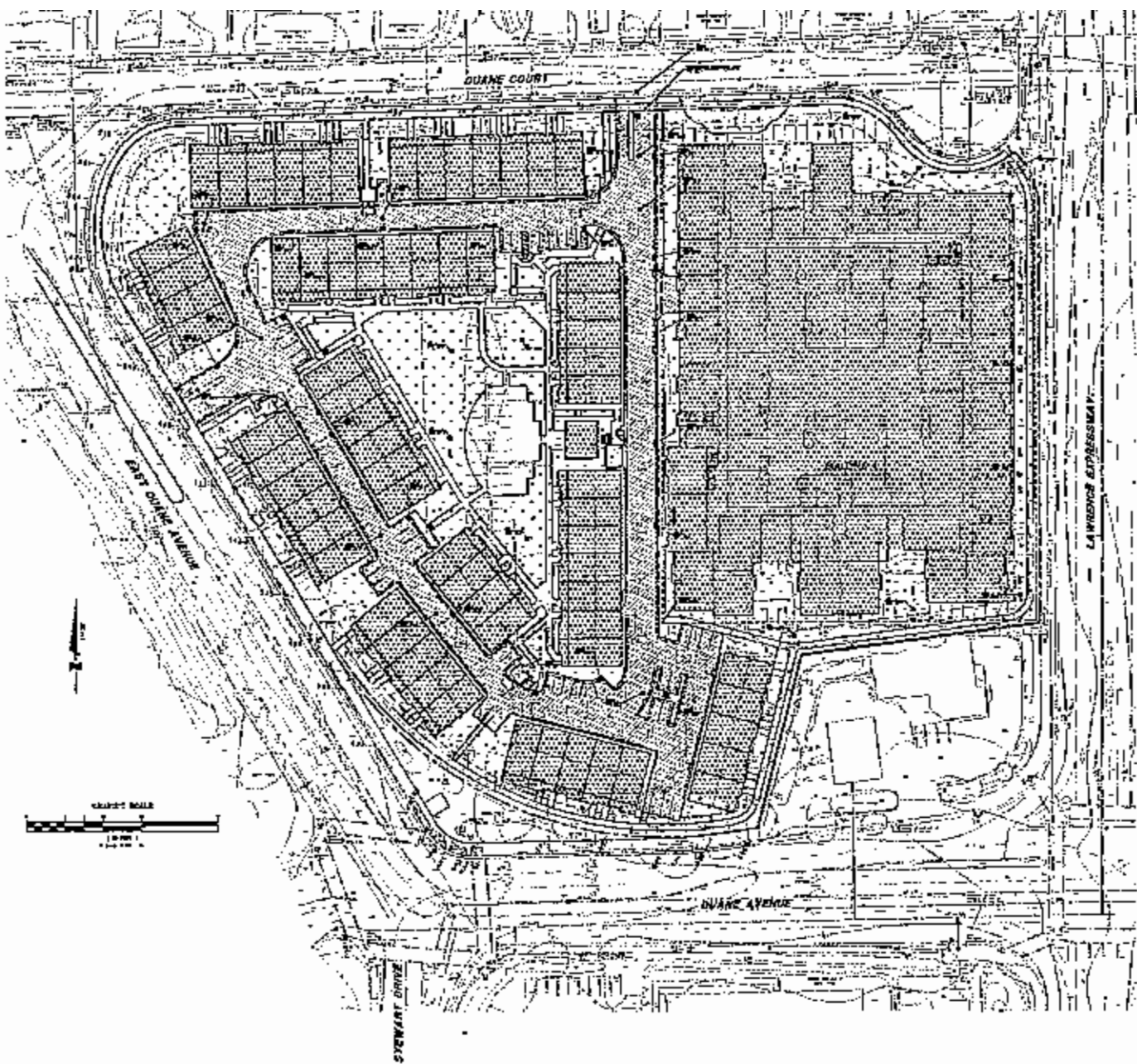
NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10	NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20	NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30	NO. 31	NO. 32	NO. 33	NO. 34	NO. 35	NO. 36	NO. 37	NO. 38	NO. 39	NO. 40	NO. 41	NO. 42	NO. 43	NO. 44	NO. 45	NO. 46	NO. 47	NO. 48	NO. 49	NO. 50	NO. 51	NO. 52	NO. 53	NO. 54	NO. 55	NO. 56	NO. 57	NO. 58	NO. 59	NO. 60	NO. 61	NO. 62	NO. 63	NO. 64	NO. 65	NO. 66	NO. 67	NO. 68	NO. 69	NO. 70	NO. 71	NO. 72	NO. 73	NO. 74	NO. 75	NO. 76	NO. 77	NO. 78	NO. 79	NO. 80	NO. 81	NO. 82	NO. 83	NO. 84	NO. 85	NO. 86	NO. 87	NO. 88	NO. 89	NO. 90	NO. 91	NO. 92	NO. 93	NO. 94	NO. 95	NO. 96	NO. 97	NO. 98	NO. 99	NO. 100
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ATTACHMENT E
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ATTACHMENT E
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March 20, 2007

Sunnyvale Planning Commission
Steve Lynch, Senior Planner

San Miguel Neighbors Association (SMNA)
Tara Martin-Milus, Chair

Dear Planning Commissioners:

The San Miguel Neighbors Association (SMNA) has concerns on the north-east corner of the 130 acre ITR parcel and the Taylor-Woodrow proposed development. Here are issues we would like you to help us mitigate:

Traffic and Transit Issues:

- Duane Court left turns onto Duane Avenue: This is not a big problem now, but will be with more people exiting the new development during morning commute time. Currently there is a significant wait time at the stop sign for the one lane to merge on to Duane Avenue. With the additional traffic from the AMD development and additional traffic from the Taylor-Woodrow development this is likely to become a much bigger challenge to find a merge gap in both directions of traffic. Currently no changes are planned for this intersection.
- Duane Court exit onto Duane Avenue heading west: This is a narrow one-lane access. Currently homeowners have difficulty backing out of their driveways onto the road due to difficulty seeing oncoming traffic when vehicles are parked on the street. Additional traffic on the narrow road may mean additional fender-benders—we know the accidents reports are low, because people are not reporting incidents due to the impact on their insurance rates. Currently no changes are planned for this intersection.
- Duane Court onto Santa Ynez: If traffic becomes backed up exiting Duane Court onto Duane Avenue, then Santa Ynez becomes the only alternative route. Santa Ynez is a residential street and this will put additional traffic pressure through the area at a time when children are going to the elementary school.
- Public transit is available heading West on Duane from Lawrence toward Fair Oaks, but no safe access is available heading East on Duane from Fair Oaks toward Lawrence.
- In keeping with human-friendly green developments and enhancements to neighborhoods, we would like to see safe bike lanes and walking access to AMD, the proposed retail development, and public transit access.

Homeowner Issues:

- Duane Court is a two lane road. Existing homes in the area are low profile twelve foot high single story. The new three and five story town home buildings on the Southern exposure blocks a dramatic amount of light to the existing homes. The existing homes are already close to the fifteen foot high sound wall, which blocks light from the East. These homes are being boxed in.
- With 304 new homes in the development and only eleven parking places more than required by city policy, parking will spill over into the neighborhood streets. This is not acceptable as SMNA has parking challenges already. Some of the homeowners have some physical challenges, and walk with difficulty, but they walk, and would like to remain safe in their environment. Additional people and traffic will impact their safety.

Possible Solutions for Traffic Issues:

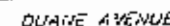
- Taylor Woodrow has identified an alternative entry-exit, closer to Duane Avenue, just past the right turn onto Duane Court. This alternative entry will keep most of the traffic off Duane Ct. This works much better for SMNA than the current entry-exit almost across from Santa Ynez.
- Taylor Woodrow also proposed an alternative exit from Duane Court which is closer to Duane Avenue. With a few adjustments, SMNA neighbors believe this will also work better.

The following changes SMNA would like to see:

- Block off the one-way exit from Duane Court onto Duane Avenue and make this essentially a private street.
- Where the left turn lane is from Duane Court onto Duane Avenue have two lanes instead of one. So there would be separate left turn and right turn lanes as well as one entry lanes
- If there are still issues after the development is built then we could look at options like blocking off Santa Ynez to right turns from Duane Court and the possibility of a traffic signal.
- A few years ago, the Duane-to-Fair Oaks signal was modified to single lane traffic with a middle turn lane, SMNA believes this could also work with the East Duane Avenue-to-Lawrence access, AND we would have some bike lanes, too!

Possible Solutions for Homeowner Issues:

- The proposed additional trees and larger trees (from 24" to 36" boxes) is a welcome offer from Taylor Woodrow. That is certainly helpful in screening the buildings.
- The reduction of two more town-homes building from 55' to 36' toward the end of Duane Court would also a welcome change. SMNA would like to see all the buildings across from Duane Court, right up to the Lawrence sound wall, all be 36'. This would help the current home-owners with the scale, the lighting issues, and would probably reduce traffic along the Duane Court exit. The height reduction would eliminate fourteen units but would retain the R4 rating that Taylor Woodrow and the City Council both want. The scaled-down units may probably be placed in a different location and not affect the BMR ration or the total units at all.



Blocked

DUANE C

DUANE AVENUE

R=30'

ENTRY

R=30'

POSSIBLE TRAFFIC SIGN





Santa Clara County Housing Action Coalition



The Santa Clara County Housing Action Coalition is comprised of a broad range of organizations and individuals who have, as a common goal, the vision of affordable, well-constructed and appropriately located housing

March 16, 2007

ATTACHMENT G
Page 1 of 1

Planning Commission
City of Sunnyvale
P.O. Box 3707
Sunnyvale, CA 94088-3707

Dear Commissioners:

On behalf of the Santa Clara County Housing Action Coalition, we are writing to express our support for the proposed development near Duane Court and Lawrence Expressway by Taylor Woodrow Homes.

By way of background, the Housing Action Coalition includes more than 200 organizations and individuals. Its goal is to promote the production of well-built, appropriately-located homes that are affordable to families and workers in Silicon Valley. Organizations participating in the HAC include the Silicon Valley Leadership Group, the Home Builders Association, Greenbelt Alliance, the Sierra Club, the League of Women Voters, Santa Clara County Association of Realtors, the Affordable Housing Network, and California Apartment Association Tri-County Division.

Purchasing a home in Silicon Valley continues to be a challenge. In Sunnyvale the median price of a single family detached home is \$885,000, a price-point that is way out of reach for many families and individuals who help make our economy strong. Duane Court will provide a housing product type that tends to be more affordable—condominiums. In fact, the difference between a single family home and a condo or townhome in Sunnyvale is in excess of \$300,000. This figure represents the very real difference between owning or renting and demonstrates the ongoing need to build more densely where appropriate.

It is also worth noting that the City of Sunnyvale ought to be commended for its forward thinking regarding this parcel and the lands surrounding it. Thank you for proactively looking at this area within a bigger context in order to decide what is best for the neighborhood, city and region.

The Housing Action Coalition supports this development proposal. Thank you for your consideration of our comments.

Sincerely,

Margaret Bard
HAC Co-Chair

Chris Block
HAC Co-Chair

PLANNING COMMISSION MINUTES OF MARCH 26, 2007

2006-0610 – Taylor Woodrow [Applicant] Duane Ventures LLC [Owner]: Application for related proposals on a 7-acre site located at 1044 East Duane Avenue (near Lawrence Expwy.) in an M-S/ITR (Industrial and Service/Industrial to Residential) Zoning District. (EIR previously approved) (APN: 205-23-001) SL; *(Continued from March 12, 2007.)*

- **Special Development Permit** to allow development of 304 condominium units (75 townhomes and 229 condominium units for a total of 304 units),
- **Parcel Map** for condominium purposes as a specific project component of the Duane ITR GPA and EIR study.

Steve Lynch, Senior Planner, presented the staff report. He said staff was able to make the findings for the Special Development Permit (SDP) and Tentative Map and is recommending approval of the project subject to the Conditions of Approval (COAs). Mr. Lynch introduced **Dennis Ng**, Senior Traffic Engineer from Sunnyvale Public Works and said that he is available to answer questions.

Comm. Babcock asked if the setbacks include the balconies, patios and porches. Mr. Lynch and Comm. Babcock discussed different aspects of the setbacks including that the front facades that are fairly flat, that the building has a 15 foot setback, and that the balconies and porches would be recessed an additional 5 feet. Comm. Babcock asked about the size of the balconies in the condominium building. Mr. Lynch said the balcony sizes range from 60 and 80 square feet. Comm. Babcock asked if the City has a rule regarding gated and non-gated communities. Mr. Lynch explained that, as a general rule, the City prefers that multifamily areas not be gated as guests could have a difficult time getting into the housing area. Comm. Babcock referred to Attachment B, page 12, COA 24.U and V and asked why these COAs are included as the issues are satisfied by the Environmental Impact Report (EIR). Mr. Lynch said these COAs were requested by the Department of Public Works and if the conditions are met through the EIR then the condition is considered complete. Comm. Babcock and Mr. Lynch discussed the parking explaining some discrepancies, but concluded that there is no deviation required and that the applicant will meet the COAs regarding parking and still be allowed to have extra units as long as they are meeting the City parking standard.

Vice Chair Sulser asked about the 2000 square foot concierge room mentioned in the report. Staff said this would be a drop off and pick up area, with a pull-in driveway and an area to wait on the site. Vice Chair Sulser and staff discussed the bike parking confirming that there are 59 Class I bike spaces to be included in a bike storage room, and 20 Class II bike spaces. Staff confirmed that the bike racks are not shown on the plans, but that there is plenty room for them. Vice Chair Sulser had staff comment about the 15% density bonus, providing the public with information

regarding features of the bonus, including the requirement for Below Market Rate (BMR) units, and allowing the applicant to build an additional 39 units (from 265 increased to 304 units). **Trudi Ryan**, Planning Officer, added that Sunnyvale's density bonus is consistent with the state mandates. She said that it is the local regulations that require the BMR housing, but the state regulations require that a density bonus is made available. Vice Chair Sulser referred to the 10 foot wide sidewalk requirement and asked what the City standard is for sidewalks. Ms. Ryan explained that most City sidewalks are 5 feet wide, but that wider sidewalks are requested in areas where walking is encouraged.

Comm. Rowe asked staff for clarification of COA 16.D and asked why a tandem garage is required if it does not have to be used for parking cars. Staff said that the interior space of the tandem garage does not count toward the parking so if there is tandem parking that the interior of the garage does not have to be used for parking. Comm. Rowe commented that compact parking does not work well. She asked if developers are encouraged to not use compact parking. Ms. Ryan said that Sunnyvale's current parking code allows compact parking and that there are different percentages based on different usages. Ms. Ryan said that in residential areas that 35% of the unassigned parking can be compact parking. Ms. Ryan said if there is an opportunity to not have compact parking that staff would discourage compact parking, but there is no active program discouraging compact parking.

Comm. Simons asked Mr. Ng about the ingress and egress on the Duane Court/Duane Avenue triangle and if there were any options considered that would slow vehicle speeds down. Mr. Ng said that the Traffic staff did work with Hexagon Transportation Consultants, Inc. on squaring up corners which would slow down traffic, but did not look at Duane Avenue's traffic speed. Ms. Ryan said the speed along Duane Avenue was not specific to the land use and this project and said that the Traffic Division could look at the speeds along Duane Avenue at anytime. She said that turning movements and volumes of traffic are specific to this project. Mr. Ng said that the Traffic Division can look at Duane Avenue, but it is classified as a collector street and meant to carry higher volumes and traffic speeds. Mr. Ng said that usually the average posted speed on collector streets is 30 to 35 miles per hour (mph) and that the actual speeds are closer to 38 to 40 mph. Comm. Simons asked if staff has considered requiring the Class II bicycle racks be artistic or nicer looking. Mr. Lynch said that the applicant could offer to make the bike racks more artistic, rather than the standard plain racks, but that artwork is not required in residential areas.

Comm. Hungerford confirmed with Mr. Ng that the ingress and egress plan for project would be for cars to exit the project at the middle of Duane Court. Mr. Ng added that would be for the left turn access coming out of Duane Court. Comm. Hungerford asked if Traffic staff looked into placing the public ingress and egress more towards East Duane Avenue. Mr. Ng said that alternative was discussed. Mr. Lynch said that staff reviewed the driveway options in this area, and the alternative impacts to the current site plan as proposed. Mr. Lynch said if the Commission does

want to change the driveway, that staff's recommendation would be to continue this project for a redesign as it would be a significant impact on the site design.

Chair Klein referred to Attachment B, page 12, COA 19.K, regarding the "Sense of Place" fee and asked staff to comment about it. Ms. Ryan said that a land plan would be developed for this area, which would include pedestrian enhancements and would be asking that each development in the area pay their fair share for the improvements. She said that there would be a maximum of \$1,000 per unit for this fee. She said the final fee would be determined when the land plan is completed. Chair Klein asked how this money would be directed. Ms. Ryan said that the fee would be used for this geographic area specifically for the properties that are part of the General Plan amendment that was approved by City Council a few weeks ago.

Comm. Ghaffary referred to Attachment B, page 14, COA 24.T and asked for clarification as to what permits are going to be required. Ms. Ryan said that this COA refers to permits for on-site utilities servicing the residential units on the property and that permits would be part of the building permits. The permits would be reviewed by both the Building and Engineering divisions and do not involve outside agencies. Comm. Ghaffary referred to page 19 of the report and confirmed with staff that the Recommendation should refer to Alternative A.

Chair Klein opened the public hearing.

Phil Mader, Senior Vice President of Taylor Woodrow, said that they have been working on this project for 2½ years. He said their architect, civil engineers, landscape architect and environmental consultant are in attendance this evening and available to answer questions. He introduced Alan Loving, the Project Manager for Taylor Woodrow, and said he has been working very hard on this project for the past couple of years. Mr. Mader commented that the report shows that this application is for a Parcel Map and said that technically they are seeking approval for is a vesting tentative map. He said, regarding the question about the curb cut on Duane Court that they looked at moving it closer towards Duane Avenue, but ran into problems with the site triangle and the integration between the townhomes and condominiums. He said, regarding the question about the 20 foot setback on Duane Court, that currently the plans show 15 foot setbacks from the property line to the front of the porch. He said the porches are five to seven feet deep and jut into the building instead of out. He emphasized that the setback is 15 feet to the property line, but about 27 feet to the street including the sidewalks and landscaping. He further explained the porches are to enhance the architecture and have improved the landscaping to create a better buffer. He said, if the setbacks are considered inadequate that they would like to have the opportunity to look at porches to scale them down. Mr. Mader discussed the lot coverage and said they have provided many other features such as the pool, clubhouse and tot lot and they hope there will be some flexibility on the lot coverage. He said they would meet the parking requirement and that they are currently at 20% use of compacts. Mr. Mader said, regarding the green building requirements that he would like to have these as

recommendations, instead of hard and fast requirements. He said, regarding the Sense of Place fee, that they will be spending in excess of the fee, providing many public benefits and he would like to see what they spend in improvements to the neighborhood applied towards that fee. He asked that COA 24. E be removed as it refers to driveways on De Guigne which do not apply to this project. Mr. Mader referred to COA 24.H, I, and K, regarding modifying a signal at San Xavier and East Duane, and said they have been able to make the area work with the existing plan and do not need to put in a new signal. He referred to COA 14.N and said the 10 foot wide sidewalks are not in keeping with the residential streets and requested the condition be changed to 5 feet. He said, regarding gates at the driveways, that they would like to have the opportunity to come back and show how they could work. Mr. Mader said, regarding the bike racks, that they are mostly in the parking garage in the condominium building. He said they appreciate the opportunity of working on this project with the City.

Comm. Simons asked staff if there is any secured bike parking at the Community Room. Mr. Lynch said he thinks that the 60 spaces are all in the condominium building. Comm. Simons asked staff if the width of sidewalks in relation to the density of the project have been compared to the Pedestrian Design Guidelines. Ms. Ryan said that could be done, but that staff feels wider sidewalks are needed. She said the applicant requested that the Duane Court sidewalks be narrower to look more residential and staff would be comfortable with that.

Comm. Rowe had staff confirm that the normal width of a sidewalk is 5 feet. Ms. Rowe asked Mr. Mader if the sidewalk on Duane Court is reduced by 5 feet, what would the developer do with the additional 5 feet. Mr. Mader said it would be landscaped.

Comm. Babcock confirmed with Mr. Mader that that the first level condominium unit referred to in COA 1.M already has the front door facing Duane Court.

Comm. Ghaffary asked for clarification from Mr. Mader about what fees he had been discussing. Mr. Mader confirmed he was referring to the Sense of Place fees.

Chair Klein asked staff to comment about the Sense of Place fee and how it is intended to be used as opposed to the improvements that are normally part of a project. Ms. Ryan said typically when improvements are made that the improvements can be credited toward the fee, but that the land plan has not been determined for this area yet.

Michael Dollinger, representing the existing owner of the property, spoke in favor of the project and said they selected Taylor Woodrow because of their high quality. He said this project is important to them because they own other property in the area. He commented that he has no problem turning out of Duane Court as there is a nearby light.

Nancy Tivol, Executive Director of Sunnyvale Community Services, spoke in support of project. She said this project addresses affordable housing providing 33 BMR units. She said she recently spoke at a City Council meeting making a couple of suggestions, including that the City adopt a policy to maximize BMR units in future housing developments.

Tara Martin-Milius, Chair of the San Miguel Neighborhood Area (SMNA), said that they have two major concerns. She referred to her letter in Attachment F and said their major concerns are regarding traffic and the scale of the buildings. She said the SMNA support the entry and exit that is shown in Attachment F. She said the SMNA would like to see the area that is proposed 5 story on Duane Court closest to Duane Avenue, be reduced to 3 story to match the rest of the street. This would reduce the project by 14 units and 1 BMR unit. She said she would like to see entire Duane Court triangle reconfigured.

Comm. Babcock asked staff to address the speakers comments regarding the 5 story buildings. Mr. Lynch referred to Attachment E, page 4 and explained the plan. He said that the speaker was referring to the Eastern-most portion, units A1, 1A, 1A and C, and confirmed that these four units are 5 story. Comm. Babcock said she understood from the report that those units are 3 story. Ms. Ryan clarified that where the curvature of the Court is, that there is the taller building. Mr. Lynch referred to page 11 of Attachment E, the West Elevation, that shows the internal side of the project from the townhome perspective showing 5 stories. Mr. Lynch said staff's interpretation of Council's condition was that most of the adjacent buildings should be 3 story and that the Commission has the flexibility to bring a portion of the building down to 3 stories. Comm. Babcock asked about the additional setback requirement. Staff confirmed that the proposed setback is 15 feet.

Comm. Hungerford asked Ms. Martin-Milius where the traffic triangle is that she referred to. Ms. Martin-Milius described the location of the triangle area. Comm. Hungerford discussed with staff possible options including to redesign the center island to meet the concerns of the neighbors.

Glen Chambers, a resident of Sunnyvale, said that he feels the current proposal does not show respect for the zoning laws of Sunnyvale. He referred to pages 3 and 4 of the report and said that the stars indicate proposed changes from the R-4 zoning. He said that the applicant seems to be asking for more and more. Mr. Chambers referred to page 12 of the report and said that comments indicated that the project should not be over 3 stories high. He discussed various aspects of the project including, setbacks, landscaping, traffic, cobblestones, bicycle access, and a possible right turn lane.

Comm. Simons asked staff if any traffic calming concrete is proposed to be added to the street and confirmed with staff that the traffic pavers would only be in the median island. Comm. Simons and Mr. Chambers discussed the difficulty of riding a bicycle in this area and some possible options for improvement. Ms. Ryan referred to

Attachment E page 4 to further discuss the configuration of the area and referred to the actual right-of-way and the possibility of widening the road area. Mr. Ng commented about the signal issue where Duane Avenue becomes East Duane Avenue saying there has been no discussion of making a free right turn in the area. He said the free right turn would make things more hazardous for pedestrians and bicyclists. **Brett Walinski**, of Hexagon Transportation Consultants, said they prepared the traffic portion of the EIR. He commented about the free right turn and said that what was recommended in the EIR was a re-stripe of a curb lane from a shared through and right to a right turn pocket. Comm. Simons further discussed driving out of Duane Court, the lack of parking pockets in Sunnyvale, and other issues related to driving in this area with Mr. Walinski. Comm. Simons asked if staff could look into options for improving the egress out of Duane Court and a parking security area. Ms. Ryan said the Planning Commission could recommend that staff take a look at alternate circulation and configurations of the roadway in the area, before, during and after the new development.

Comm. Rowe asked staff about traffic calming referring to different diagrams in the report that appear to have some traffic calming in place. Staff responded that there is no intentional traffic calming in place. Mr. Chambers asked that construction mitigation be in place along with the restriction of hours.

Carl Sandwick, a Sunnyvale resident and part of the SMNA said he agrees with the project, but is opposed to the density as it does not fit with neighborhood. He said he would like to see more provisions for mass transit, bicycles and pedestrians. He also said he would like to see the heights brought down and the project downsized.

Tewelde Stephanos, a Sunnyvale resident and part of the SMNA, said that he has seen many accidents on this corner even though the speed limit is lower. He discussed speed bumps, and recommended no change to the corner from the current design. He said if there is a constant stream of cars coming they will not be able to pull out of their driveways.

Comm. Simons commented to Mr. Stephanos that he had not heard about accidents on the curve area of the street. Mr. Stephanos explained that drivers do not go the speed limit there.

Fe Sandwick, a Sunnyvale resident and part of SMNA, said she agrees with Mr. Stephanos about the need for a new traffic plan and that she is also concerned about the height of the buildings on Duane Court and hopes the matters will be taken care of.

Judy Santiago, a Sunnyvale resident, said she is part of the SMNA and is the editor of the San Miguel newsletter. She said she agrees with Ms. Martin-Milius regarding the height of the buildings and the traffic. She commented that every morning she exits Duane Court onto Duane Avenue and some days she can get out quickly and other days she has to wait 5 or 6 minutes and has to watch both directions of traffic.

they would be willing to look at it and if there are any changes that they would hope they could be applied to the Sense of Place fees. Comm. Simons said he would like to see some transportation mitigation, but he is not making any proposal for that. Mr. Mader commented that the 5 story building is 170 feet from the closest single-family house.

Chair Klein closed the public hearing.

Comm. Rowe asked staff if the project could be approved with flexibility that some of the issues addressed be considered, i.e. traffic, traffic calming, and sidewalks. Ms. Ryan said that these can be addressed as specific or general comments in the COAs otherwise the item would have to return to the Commission for approval at a different time. Comm. Simons asked staff the purpose of recommending a 10 foot sidewalk on the frontage. Ms. Ryan said the wider sidewalks create a more pedestrian friendly area, but that this area would probably be fine with the standard 5 foot sidewalks where it is less busy. Ms. Ryan said the Commission could also refer staff to the Pedestrian Guidelines by VTA (Valley Transportation Authority).

Comm. Simons asked staff what the appropriate way would be to request that the traffic be further reviewed. Ms. Ryan suggested that an independent motion be made if the request is for right-of-way improvements not specific to this project. Comm. Simons said the recommendation would be specific to this project as it is regarding the ingress and egress for the project. Ms. Ryan said that the recommendation could be to request that the traffic engineers consider whatever the Commission would like them to consider and that the recommendation could be included in the motion.

Comm. Babcock moved for Alternative B, to approve the Special Development Permit and Tentative Map with modified conditions: to eliminate COA 1.J, as the buildings are already setback 20 feet and that she prefers to have the open space and the patios and balconies jutting in; that COA 1.K be modified to read "42% lot coverage" as proposed; to modify COA 1.L to include language that the lot is for the use of young children (generally under six years old) only, due to the size of the lot and because children over age six will probably prefer the swimming pool; to eliminate COA 1.M as it is already taken care of; to modify COA 16.D that the condition reference "townhouses only"; to modify COA 19.F to add the wording "excluding any exceptions granted herein"; to modify COA 24.H to include the wording "new poles and arms *only if needed to provide the ADA access that is required*"; to modify COA 24.N to require 8 foot sidewalks on Duane Avenue and 5 foot sidewalks along Duane Court; to eliminate COA 24.U and COA 24.V as they are addressed in the EIR making the conditions redundant; for staff to review other traffic flows for the egress and ingress for the area shown in Attachment F, the Duane Court/Duane Avenue area, preferring the revised version in Attachment F presented tonight, including the installation of a traffic signal at the intersection if deemed necessary or beneficial. Ms. Ryan clarified with Comm. Babcock that the revised version of the intersection in Attachment F is the preference for the entry and exit, but that the area

is subject to review and approval of the traffic staff. Staff commented that the motion includes the elimination of COA 1.M based on information that the applicant stated, indicating that the front door faces Duane Court, when actually the illustration in Attachment E, page 12 in the bottom right hand corner of the East Elevation, shows the entrance to Unit C facing Lawrence Expressway. Ms. Ryan suggested that COA 1.M remain in the conditions. Comm. Babcock said to leave COA 1.M as part of the conditions. **Comm. Simons seconded the motion. Comm. Simons offered a Friendly Amendment to add a COA 13.O which would read, "New trees shall be native trees as large a species as appropriate for placement on the site". Comm. Babcock accepted the Friendly Amendment. Comm. Simons offered a recommendation for COA 19 to add that alternative circulation be looked at allowing a turn pocket in the middle of Duane Avenue for left-hand turns which may require some modification to the recommended triangle plan and to make changes as appropriate; Comm. Babcock accepted the recommendation and said it would be included with her modification for staff to review the traffic flows. Comm. Simons asked if the Duane Court sidewalks could be based on VTA Pedestrian Guidelines. Comm. Babcock said she would prefer to have the sidewalks not any wider than what is currently on Duane Court because it gives the Duane Court area a more residential feel. Comm. Babcock agreed to change the motion to include that the sidewalks on Duane Court not be greater than 6 feet. Ms. Ryan clarified that the motion would include that the sidewalks on Duane Court would change to 6 feet and on Duane Avenue to 8 feet. Comm. Simons asked that a condition be added that windows look down on the lot as a safety issue. Staff said that this is already in place, but could be added as a condition. Comm. Babcock agreed to the amendment. Comm. Simons asked that a recommendation be added that the external bike racks be nice looking. The recommendation was acceptable to maker of the motion. Comm. Simons requested that a COA 17.B be added requiring permanent signage to be included in the secured bicycle parking area to prevent the area from being used for other uses. The modification was acceptable by maker of motion.**

Comm. Babcock commented that overall this is a great, high-quality project, providing needed housing, including BMR units. She said she thinks the traffic issues on Duane Court will be addressed as the additional cars should reduce the speed of the traffic. Comm. Babcock said that staff would also be looking at the intersection to determine whether a traffic light or other alternatives are warranted to make sure that everyone has a safe entry and exit out of Duane Court.

Comm. Rowe asked Comm. Babcock for clarification on the modification to COA 16.D. Comm. Babcock said the COA 16.D, which refers to garages, should only apply to the townhomes as the condominiums do not have garages.

Comm. Simons commented that some of the neighbors that spoke during the public hearing this evening were concerned about the five story buildings being incompatible with the street. Comm. Simons said that with the large setback that he is comfortable that the five story buildings are far enough away from the houses, and

acknowledged that the development will be a change from the current look and feel of the industrial office. He said he feels the traffic issue for Duane Avenue is an issue of speed, which is not incorporated in EIR. He said he would have preferred to see some traffic mitigation. He said the City does traffic analysis and that with the densities being proposed, that this neighborhood should potentially have some program for traffic mitigation and traffic calming. He said the big issue is traffic speeds and the slower the cars go the more comfortable it is to live in the neighborhood. He said he recommends the neighborhood focus on the traffic speed and request the City put some energy and effort into traffic calming. Comm. Simons said he feels this project will be a benefit, and he really likes the modern look and quality of the project.

Chair Klein said he would not be supporting the motion. He said, in general, he likes the project and most of the modifications to the conditions that have been included in the motion. He said he cannot give up on the front yard setback of 20 feet or the lot coverage of 40%. He said with a minor modification he believes the applicant could meet the 40% lot coverage resulting in more open space. He commended Comm. Babcock and Comm. Simons for the motion and most of the suggested changes, but said he feels the setback and lot coverage issues could be worked out without too much effort.

Comm. Ghaffary said he would not be supporting the motion. He referred to Attachment C, page 8, (m) that reads, "Require height in R-4 areas to maintain no more than three stories (35 feet) when adjacent to (including across the street from) single-family residential development" and said it is his understanding that City Council does not want more than three stories adjacent to residential even with large setbacks. He said he is not able to support the motion unless there is a condition that addresses this issue. He said in the past other Friendly Amendments have been allowed following the second. Chair Klein asked Comm. Babcock if she would consider that. Comm. Babcock commented about Chair Klein's comment regarding open space stating that she was preferring the open space be a part of the private open space with the balconies and porches rather than additional five feet of lawn, sidewalks or trees. Chair Klein said he feels that the 40% lot coverage and reducing several of the homes would help achieve the lot coverage. Comm. Babcock said, regarding Comm. Ghaffary's comment, that she thinks "across the street" is misleading in this instance as this is across a wide area that is the width of two streets and she feels the width is adequate distance between the single-story homes and five-story buildings.

ACTION: Comm. Babcock made a motion on 2006-0610 to approve the Special Development Permit and Tentative Map with modified conditions: to eliminate COA 1.J, as the buildings are already setback 20 feet and that she prefers to have the open space and the patios and balconies jutting in; that COA 1.K be modified to read "42% lot coverage" as proposed; to modify COA 1.L to include language that the lot is for the use of young children only (generally under six years old); to modify COA 16.D that the condition reference "townhouses only"; to modify COA 19.F to add the wording "excluding any exceptions granted herein"; to modify COA 24.H to include the wording "new poles and arms *only if needed to provide the ADA access that is required*"; to modify COA 24.N to require 8 foot sidewalks on Duane Avenue and 6 foot sidewalks along Duane Court; to eliminate COA 24.U and COA 24.V as they are addressed in the EIR making the conditions redundant; for staff to review other traffic flows for the egress and ingress for the area shown in Attachment F, the Duane Court/Duane Avenue area, preferring the revised version in Attachment F, including the installation of a traffic signal at the intersection if deemed necessary or beneficial and that alternative circulation be looked at allowing a turn pocket in the middle of Duane Avenue for left-hand turns which may require some modification to the recommended triangle plan and to make changes as appropriate; to add a COA 13.O which would read, "New trees shall be native trees as large a species as appropriate for placement on the site"; to add a condition that windows look down on the lot as a safety issue; that a recommendation be added that the external bike racks be nice looking; and that a COA 17.B be added requiring permanent signage to be included in the secured bicycle parking area to prevent the area from being used for other uses. Comm. Simons seconded. Motion carried, 5-2, Chair Klein and Comm. Ghaffary dissenting.

APPEAL OPTIONS: This action is final unless appealed to the City Council no later than April 10, 2007.

Lydia Marteris, a Sunnyvale resident who lives on Duane Court, said she disagrees that traffic on Duane Court is safe. She said there is speeding combined with children that need to go to school and that this area is too dangerous for this combination. She commented, with the amount of new people that will come and live on Duane Court, that this will be even less safe.

Shiloh Ballard, an employee of the Silicon Valley Leadership Group, said she is representing the Housing Action Coalition (HAC). She said that the HAC agrees that more housing is needed, and that it needs to be built in appropriate areas where the density maximizes the use of the land. She commended the City for proactively looking at this area and deciding what to convert. She also commended the Commission for maintaining a constructive atmosphere in the Chambers. She said the HAC supports this proposal, and reiterated the need for affordable housing.

Dr. Beverly Bryant, Executive Director of the Home Builders Association, the Southern Division located in San Jose, said that she is pleased to see Industrial-to-Residential (ITR) conversion occurring in Sunnyvale as it is very important. She said this is a good opportunity to provide more housing that Silicon Valley needs and that this is a great example to take underperforming land, making it perform well, thus maximizing the use of the land.

Mr. Mader clarified the relationship of the buildings on Duane Court to the single-family homes across the street. He referred to Attachment E, page 20, and explained the site and the distances between the 3 story and 5 story proposed buildings and the homes across the street. He further explained the setbacks, and discussed the option of reducing the porch element of the townhomes from 3 to 1 story. He said they have redesigned these buildings in the project, have reduced them, that the 5 stories are allowed by code, and that they have underground parking. He said that he hopes the neighbor's concerns regarding traffic can be mitigated and noted that the EIR required no traffic calming mitigation for the intersection.

Chair Klein referred to Attachment E and confirmed with staff the heights and distances of buildings from the single-family housing based on the comments from the applicant.

Comm. Rowe referred Attachment B, page 12, COA 22.A and confirmed the report should read "no vehicle sales."

Comm. Simons commented to Mr. Mader about adding a recommendation for traffic to work with the project and asked if there has been any mid-street parking pockets considered for making a left hand turn out of Duane Court. Mr. Mader said that the EIR indicates no traffic impacts and no mitigation called for. He said, knowing that there is some sensitivity regarding the traffic, that they have looked at this issue and are trying to improve the situation as best as possible. Comm. Simons said the main thing he would like to have considered is a right-of-way improvement. Mr. Mader said

Tara Martin-Milius, Chair
San Miguel Neighbors Association (SMNA)
762 San Miguel Ave.
Sunnyvale, CA 94085-3412
April 5, 2007

Sunnyvale City Council
745 Olive Ave.
Sunnyvale, CA 94085-3412

Re: Appeal of Taylor Woodrow Development, Special Development Permit #2006-0610,
Planning Commission Meeting March 26, 2007

Honorable Mayor and City Council Members:

The San Miguel Neighbors Association (SMNA) represents 730+ homes, about 1800 people. The 7.3 acre Taylor Woodrow development is across a 2-lane court from our neighbors. We have been involved in the process since mid-2006 when the planned development was 240-250 homes and lower than the re-zoned R-4 maximum. In the EIR we were surprised to see the number of units jump to 304. Zoning is now above the R-4 maximum of 263 units. Our concerns with the development remain constant: traffic flow, height of buildings across from Duane Court, and allowed variances to the Sunnyvale Municipal Code for this development.

Issue #1, Traffic, see attachment #1

Taylor Woodrow presented a traffic plan with an alternate entry-exit point. SMNA strongly supports this new entry-exit as a safe and satisfactory solution.

- Instead of inviting traffic into the neighborhood it is directed to Duane Avenue.
- This and the changes we worked out with City Traffic Engineering make it a safer solution which has been approved by the neighbors in that area.
- City Traffic Engineering has committed to study traffic on Duane Avenue/Court.

Issue #2, Height, see attachments #2,3, 4

The height issues across Duane Court are still a big issue for SMNA. Even with the 170' set back Taylor Woodrow claims, and additional trees requested by the City Council, the 57' building across Duane Court dwarfs our 10' 3" homes. This means the homes on Duane Court are blocked on the East by a 13' 6" sound wall and will be blocked on the South by a 57' monolith. SMNA request the following:

- All buildings across the street from R-0 homes step down from 57' to 35', including across the end of Duane Court.
- Additional, larger trees offered as a transition across the court remain in the mix of mitigation actions.

Issue #3, Code Variances

SMNA is currently working with Neighborhood Enhancement to bring our 55 year old homes up to code. We have some excuse for not being up to code—things have changed in 50+ years! The Taylor Woodrow development is asking for code variances from the start. SMNA strongly disagrees with this approach.

- The area has been re-zoned to R-4 and the development is now over the R-4 maximum number of dwellings. We agree with staff that it should be built to R-4 code density. Failing that, reduce the units across Duane Court.

- Developers wanted a variance to ~42% and the code maximum is 40%. The Planning Commissioners said this difference is 'miniscule.' Since it is miniscule, then let us bring it to code of 40%, as staff recommended.
- Setbacks are 20' per code; proposed set-backs for this development are 15'. Single-story homes across the street from the development require a 20' setback. The new 3 story dwellings across the street from our existing homes should also have a 20' setback as staff recommended for Duane Court.
- Maximum building height is 60' and 4 stories based on code. We agree with staff that as long as the height is maintained at 60' or less, 5 stories is fine, EXCEPT directly across from our homes, where we want to have every building directly across from Duane Court at 3 stories, as it is on East Duane Avenue. The 3 story guideline came from City Council approval of the EIR and we truly appreciate this improvement as the boundary between the project and the neighborhood.
- Please see attachments #3, 4.

In summary

The changes SMNA has requested address all the stated concerns of the City of Sunnyvale, Taylor Woodrow, and SMNA.

- Step-downs from 5-3 story across from existing homes cause a reduction in overall units, but do not affect the BMR units for the City.
- This reduction of ~8-10 units maintains the R-4 rating, with a density bonus (R-4 is 263 units), for Taylor Woodrow and the City of Sunnyvale.
- If the units are reduced, additional parking will be available to the development.
- The height change creates a much better transition for the 10'3" tall homes on Duane Court, and does not box in the last two homes from the East by the 13'6" sound wall and from the South by the 5 story/57' building.

SMNA thanks City Council and Taylor Woodrow for the additional trees and for the changed entry-exit plan. SMNA requests the following changes to the plan as approved by the Planning Commission in the March 26, 2007 hearing:

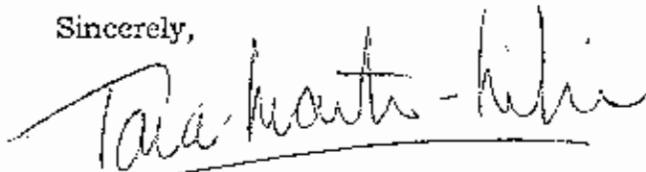
- Traffic entry-exit on Duane Court is modified to reflect the Taylor Woodrow proposal with the amendments made by SMNA and Traffic Engineering, which is currently under study.

SMNA believes that new building developments should be built to current code.

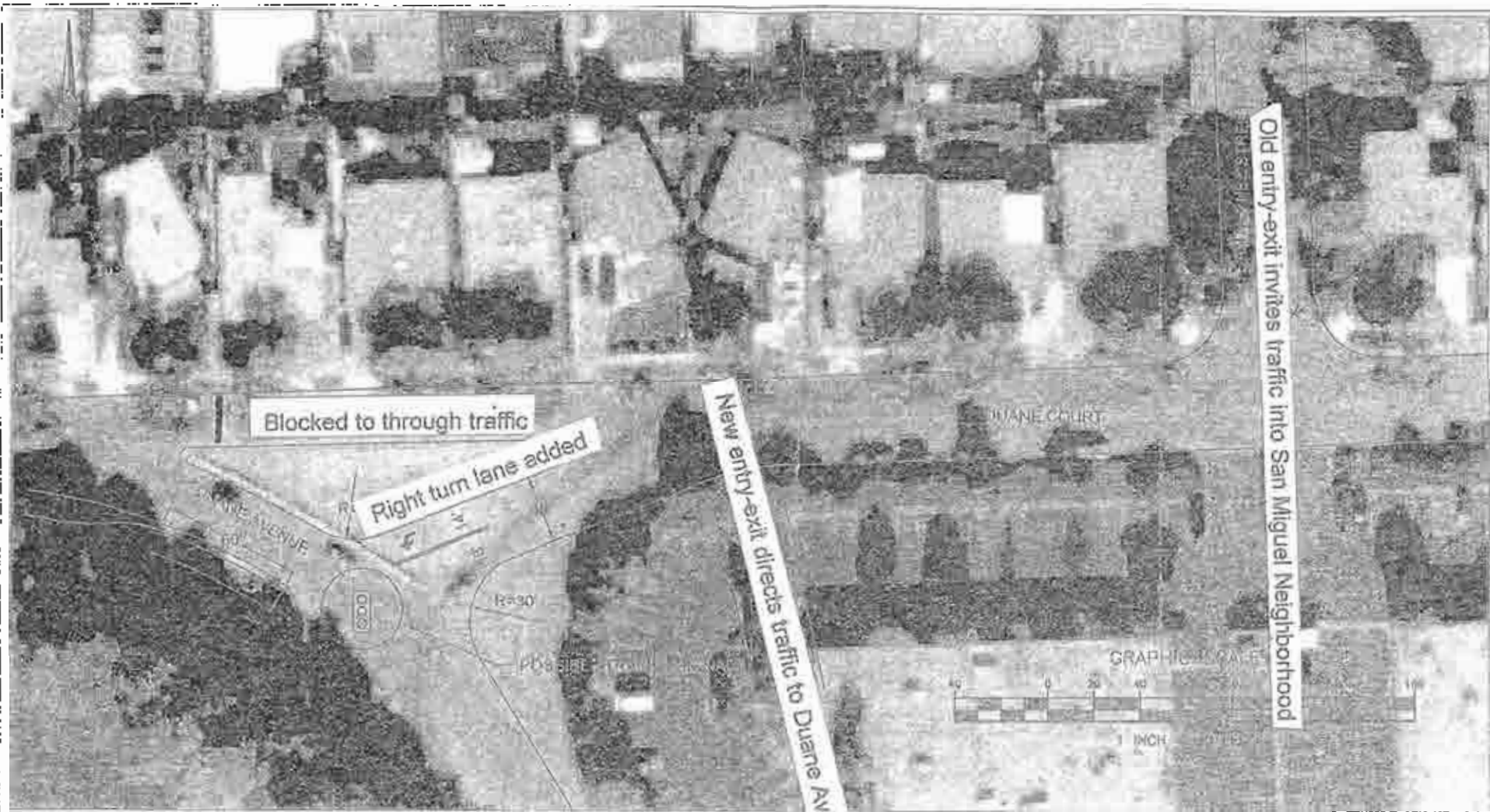
- Bring coverage down to 40%.
- Set-backs all along Duane Court should be 20' to match the 1 story homes.
- Bring the number of units down to the R-4 level.

SMNA appreciates your review of our issues.

Sincerely,



Tara Martin-Milius
SMNA Chair
Attachments: 4



Hexagon Transportation
Consultants, Inc.
40 South Market Street, Suite 400
San Jose, California 95128
Phone (408) 271-6100 Fax (408) 271-6122

OPTION B
DUANE AVENUE AND DUANE COURT
CITY OF SUNNYVALE

DESIGNED BY R. GARCIA
DATE: 3/12/07

ATTACHMENT I
Page 3 of 6

Attachment

1



Homes 10' 3" tall directly across Duane Court from 5 story units at 57'

13' 6" Sound wall divides Duane Court from Lawrence Expressway

3 story homes above sound wall are across Lawrence Expressway
Photo taken ~160 feet from sound wall on Duane Court



NO. 2. ELEVATION WITH THREE STORY STEP - DOWN FACING DUANE COURT

NO. 3. PLAN OF FLOOR 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

